EXHIBIT 6 part 4 of 4

(Page 2, continued from page 1)

Confidential Memorandum dated March 29, 2004 (debrief). A Northern Structure member reported that Acuna was assaulted at PBSP B Facility in 1990 by "Oso" Gerald Winston D51285, because Acuna was an EME associate and had directed assaults against Northern Hispanic inmates at PBSP Facility A (See source item dated July 30, 1990).

Acuna provided a handwritten response to this item (See item #3 on Response A). During the interview, Acuna stated he was not involved in ordering assaults on Northern Hispanic inmates. He also claimed that Winston had just arrived at PBSP B Facility, and attacked him in the Dining Room because he (Acuna) was the person seated at the table nearest the entry to the Dining Room. Acuna believed he was a target of opportunity and not the victim of a specific plan.

Confidential Memorandum dated December 12, 2003 (communication). A note was discovered December 4, 2003 in the cell of "Duke" Victor Miranda K59950 of Pico Viejo. The note was sent to Miranda from "Nene" Hugo Hernandez H05442 of San Fer – Jokers. Hernandez wrote "Beto and Cario are close friends and they work in Auto Body. What I meant to say is take Conejo's yaves and I did. I got the yaves from Conejo. I can prove it. So I think Beto must have told Cario I told Ciego that I was gonna take the yaves, but it was never Toto's. It was Terco's...If I can get granted to put Ciego, Beto, Cario, Conejo and myself all together the truth will come out. It will show that yes Beto was under the wrong impression and he ran with it." Gilbert Lopez K86894 is "Beto" of San Diego Armando Molinar D53455 is "Conejo" of Evergreen. Robert Lopez C06986 is "Tot" of Santa Paula. Victor Acuna D33299 is "Terco" of Bassett Grande. The term "yaves" is "llaves," and refers to authorization to conduct EME gang activities on behalf of the EME. [Note: This information does not support Acuna is an EME member, but it was accepted as a source for validation. At best, it indicates EME associate].

Acuna provided a handwritten response to this item (See item #3 on Response B). During the interview, Acuna stated the source simply assumes "Beto" told something to Acuna, and felt Acuna could contribute to verifying it. Acuna denied involvement or knowledge of any of this.

 Confidential Memorandum dated November 18, 2003 (debrief). An EME associate participated in the debriefing process. He reported that Acuna is an inactive EME associate who continues to participate in EME gang politics.

Acuna provided a handwritten response to this item (See item #5 on Response A).

Confidential Memorandum dated September 23, 2003 (informant). A self-admitted associate of the EME reported that "Cadio" Acuna was released from PBSP-SHU after getting his status changed to inactive. The source said Acuna is very active, and was awaiting confirmation of EME membership. There were doubts about the granting of EME membership due to Acuna's age and the fact he had not killed anyone for the gang. While at CCI, Acuna was taking care of four or five EME members at PBSP-SHU. Acuna was sending money to EME members "Terco" Acuna, "Sleepy" Huerta C80766 of Wilmas, "Chino" Delgadillo D16318 of Geraghty Loma, and "Popeye." Acuna was reportedly instructing the inmates about the EME. Acuna reportedly targeted "Squid" Mark Galvan H91736 of Arlanza for assault. The targeting of Galvan for assault was questioned by another person operating for the EME. Acuna's name was on a list of persons the EME was protecting. Acuna and the other six individuals with this protection became known as the "Magnificent Seven." The note endorsing this action was signed by ten EME members from PBSP. [Note: This information does not support Acuna is an EME member, but it was accepted as a source for validation. At best, it indicates EME associate].

(continued on page 3)

(Page 3, continued from page 2)

Acuna provided a handwritten response to this item (Sec item #2 on Response B). During the interview, Acuna denied involvement in any of this activity. Furthermore, he stated that he would have been issued a rule violation report, and absence of it supports that he was not involved in it. He said there is no evidence of him sending money to EME members.

♦ Confidential Memorandum dated June 17, 2003 (debrief). This is a debriefing interview with an EME member, who identified Acuna as an EME associate he knew as "Cadio" of Cucamonga. Acuna is referenced on a list as an EME associate. No specific gang activity is identified

Acuna provided a handwritten response to this item (See item #6 on Response A).

♦ Confidential Memorandum dated August 8, 2002 (informant). An EME associate reported that "Cadio" Acuna taught EME associate "Corky" Manuel Flores K32962 how to communicate in code. Acuna used this code in his correspondence with "Popeye" at PBSP. Acuna used "Dean" Salvador Mendoza to assist in redirecting his letters to avoid staff detection that could result in Acuna's return to active status.

Acuna provided a handwritten response to this item (See item #7 on Response A).

Confidential Memorandum dated March 5, 2002 (debrief). A validated EME associate reported that Acuna and "Jo Jo" (identified as EME associate Anthony Sisneros D68626) of Trece Locos were directing the gang activities in PBSP ASU in 1990. Acuna was identified as providing weapons to other EME associates. The source identified Acuna as an EME associate known as "Cadio" of Cucamonga.

Acuna provided a handwritten response to this item (See item #8 on Response A).

◆ Confidential Memorandum dated December 12, 2001 (informant). This reports an interview with an inmate who stated a conflict occurred between Marshal Smith P07620 and Acuna at CCI IV-A Law Library on December 4, 2001. When Acuna warned Smith he could receive a rule violation report if he goes behind the counter, Smith began calling Acuna a "rat" and a "snitch." According to the informant, this resulted in Smith having safety concerns from Acuna on the yard.

Acuna provided a handwritten response to this item (See item #9 on Response A). During the interview, Acuna said that Smith was a "ding" and did this in front of many people. He denies targeting Smith or giving any attention to the behavior.

♦ Confidential CDC Form 128B dated September 21, 2000 (communication). In a letter, Josie Acuna informed Arcadio Acuna that she encountered EME member "Tudy" Estrada at the Department of Motor Vehicles. She informed Acuna that she gave Estrada Acuna's address, and Estrada said he would soon be corresponding with him. Josie Acuna also stated that if there is anything important to pass along to Estrada, he simply needs to send her the letter and she will deliver it to Estrada.

Acuna provided a handwritten response to this item (See item #1 on Response B). During the interview, Acuna stated that "Josie" is his niece. He added that he has known Estrada's family for many years, but he has not corresponded with him.

(continued on page 4)

#### (Page 4, continued from page 3)

Confidential Memorandum dated January 5, 2000 (debrief). This is a debriefing interview with an EME associate, who identified Acuna as an EME associate he knew as "Arcadio" of Cucamonga. Acuna is referenced on a list as an EME associate. No specific gang activity is identified.

# Acuna provided a handwritten response to this item (See item #10 on Response A).

Confidential Memorandum dated March 14, 1997 (debrief). This is a debriefing interview with an EME associate, who identified Acuna as an EME associate he knew as "Cadio" of Cucamonga. Acuna is referenced on a list as an EME associate. No specific gang activity is identified.

# Acuna provided a handwritten response to this item (See item #11 on Response A).

Confidential CDC 128B dated November 7, 1996 (debrief). This is a debriefing interview with an EME associate. The source reported that in 1990, Acuna was directing gang activities on behalf of the EME at PBSP Administrative Segregation. The source added that Acuna's cellmate was Manuel Aguirre C90519. The source identified Acuna as an EME associate known as "Cadio."

# Acuna provided a handwritten response to this item (See item #12 on Response A).

◆ CDC Form 128A dated May 3, 1996 (offense). Acuna was observed by staff passing a folded paper to EME member "Wino" Thomas Grajeda C90753 (now V22200) in the PBSP SHU Law Library where communication between inmates is prohibited. A subsequent search of both inmates did not yield discovery of the paper. Based on the event, Acuna was restricted from physical access to the Law Library for 45 days.

Acuna did not address this item in his handwritten responses. During the interview, he stated that he did not pass a note. He said Grajeda asked him for a pen filler. He said he wrapped it in a paper for weight and slid it to him. He said this was not related to gang activity or behavior.

♦ Confidential Memorandum dated February 10, 1995 (debrief). This is a debriefing interview with an EME associate. The source identified Acuna as an EME associate known as "Cadio" of Cucamonga. He stated Acuna was assaulted in the B4 Dining Room in 1990 by a gang rival, a Northern Hispanic (identified in the report as NS member "Oso" Gerald Winston D51285: see source item dated July 30, 1990).

# Acuna provided a handwritten response to this item (See item #13 on Response A).

Confidential Memorandum dated January 31, 1994 (communication). This documents the misuse of legal assistance between immates for the purpose of EME member "Tupi" Ruben Hernandez C-04672 to pass along a coded message on January 26, 1994, to Acuna. In the message, Hernandez made reference to "Estrada v. Cucamonga 94 Daily Journal 237. Tudy made out alright. 7 years." Hernandez referenced a volume of the Daily Journal that did not exist in order to pass along information to Acuna about EME member "Tudy" Arthur Estrada C63175 (now V26050) of Cucamonga.

Acuna provided a handwritten response to this item (See item #14 on Response A).

(continued on page 5)

#### (Page 5, continued from page 4)

Confidential Memorandum dated May 13, 1993 (informant). This documents an interview with an EME associate. The source identified Acuna as "Cadio" of Cucamonga, and reported that Acuna was recently (1993) granted EME membership. The source also reported that Acuna's crime partner was "Huero" Marco Ramirez C55431 of Ontario, who was assaulted at PBSP B Facility by EME associates for becoming a "Christian."

Acuna provided a handwritten response to this item (See item #15 on Response A). During the interview, Acuna claims he did not know Ramirez was assaulted. [Investigative Note: Page 3 of Santa Clara County Probation Officer Report dated March 9, 1987 in Central File of Acuna reflects that Marco Anthony Ramirez, Jr. was Acuna's crime partner].

Confidential Memorandum dated February 1, 1993 (debrief). This documents a debriefing interview with an EME associate. The source reported that Acuna was one of the EME's representatives in PBSP B Facility, and was slashed across the face by a Northern Hispanic inmate when he was eating in the dining room (See source item dated July 30, 1990). After Acuna arrived at PBSP Administrative Segregation Unit, he wrote to EME associate "Gusi" Gustavo Flores C62331 of Rivas and directed an assault on "Wolfie" Louis Robles D11016 of Casa Blanca because Robles failed to warn or assist Acuna when he was assaulted in the Dining Room. Instead, Robles was cleared of any wrongdoing by other EME associates. The source identified Acuna as "Cadio" of Cucamonga.

Acuna provided a handwritten response to this item (See item #16 on Response A). During the interview, Acuna denied targeting Robles, and added that Robles was his cellmate.

Confidential Memorandum dated October 29, 1992 (communication). In a letter from EME associate "Little Spider" Roy Gavaldon C15377 to his brother, EME member "Big Spider" David Gavaldon C15376, the younger Gavaldon informs his brother that Acuna received a letter from a lawyer who has an office in his area. Included with the letter was a birthday greeting card for David Gavaldon signed by various EME associates, including Acuna. Acuna's message to Gavaldon, with portions in Spanish translated, stated the following "With all my respect, I send you greetings. Hope to see you again soon. Your pal, Cadio." The letter accompanying the card contained coded information (numbers written in Nahuatl), references to several EME members, names of people who were just granted EME membership, and other EME gang-related messages. Based on this, the correspondence is considered to be EME gang-related communication.

Acuna provided a handwritten response to this item (See item #17 on Response A).

Confidential Memorandum dated May 2, 1991 (debrief). This is a debriefing interview with an EME associate, who identified Acuna as an EME associate he knew as "Cadio" of Cucamonga. Acuna is referenced on a list as an EME associate. No specific gang activity is identified.

Acuna provided a handwritten response to this item (See item #18 on Response A).

Confidential Memorandum dated August 31, 1990 (interview). This is an interview with an EME associate, who identified Acuna as an active EME associate. Acuna is referenced on a list as an EME associate. No specific gang activity is identified.

Acuna provided a handwritten response to this item (See items #19 and #20 on Response A).

. (continued on page 6)

(Page 6, continued from page 5)

CDC Form 115 dated July 30, 1990, Log# B-90-07-146 (offense). Acuna was involved in an altercation with gang rival, NS member "Oso" Gerald Winston D51285. Acuna was slashed across the face and neck by Winston, and retaliated by kicking him. The two immates continued to fight on the floor until responding staff arrived. Acuna pled guilty and was assessed 90 days loss of credit.

Acuna did not address this item in his handwritten responses. Additional or corroborative information is contained in other source items].

♦ Confidential Memorandum dated April 9, 1990 (interview). This is an interview with an EME associate, who identified Acuna as an EME associate he knew as "Cadio" of Cucamonga. Acuna is referenced on a list as an EME associate. No specific gang activity is identified.

Acuna provided a handwritten response to this item (See item #21 on Response A).

♦ Confidential Memorandum dated September 20, 1989 (debrief). This is a debriefing interview with an EME associate, who identified Acuna as an EME associate he knew as "Carrio." The source stated that Acuna may have been involved in the riot that took place at California State Prison Sacramento County on May 25, 1989 (referring to the EME gang-related assault on Black inmates).

Acuna provided a handwritten response to this item (See items #22 and #23 on Response A). During the interview, Acuna reported that he was initially charged with participating in the riot, but he was found not guilty. Acuna's Central File does not contain a rule violation report to indicate his involvement in the incident.

Confidential Memorandum dated October 11, 1988 (debrief). This is a debriefing interview with an EME associate, who identified Acuna as an EME associate he knew as "Gladio." Acuna is referenced on a list as an EME associate. No specific gang activity is identified

Acuna provided a handwritten response to this item (See item #24 on Response A).

Following the interview, Acuna was reviewed for tattoos to see if any reflected EME gang affiliation. Acuna has a scar on his left shoulder from a rotator cup surgery. No tattoos were observed that were specific to EME gang affiliation. The following are the tattoos that were noted and photographed:

- Stomach: Cucamonga
- Neck (Right side): "Eliana" covering "Tonia"
- ♦ Left Forearm: butterfly, roses, "Andrea"
- Right Forearm: coiled snake, "Cuca"

- Back: two bare-breasted women, one wearing a sombrero
- ♦ Left Leg: bare-breasted female, cross
- Right Leg: faded dragon; two roses above knee
- ♦ Left Ankle: "Viva mi raza"

The documentation does not appear to support EME membership, but association is reflected.

D. T. Hawkes

Correctional Counselor II

Institution Gang Investigations Unit

Pelican Bay State Prison

DATE: June 5, 2006

GENERAL CHRONO

To: D. T. Hawkes

RESPONSE A

PBSP-SHU

Correctional Counselor II

From: A. Acaria # c. 43165

PBSP-544 | FD 6-113

Date ! June 05, 2006

Re: Superior Court Case # HCPB-05-5242

Notwithshouding the fact that only the 13) CDC-128 B Consideration memo's dated 9/21/00, 4/23/00 and 12/12/00, were relied on in the Validation which is the basis for the above cetal count action, and the other (24) CDC-128B Confideration memo's disclosed and 4/02/06 are not relevant to the validation process at issue under provisions set forth in the Code of Regulations, I will briefly address each item as Collaws.

- (1) CPC-128 B Countidestral memo duted 10/3/05 Alleges a letter was written to the mother of one of my ex-cell mates by Arthur Estrada, but does not identify any gang activity on my fast, and does not show I have ever communicated with Estrada.
- (2) CDC-128B Confidential Memo dated 10/12/04 Discloses that a note confiscated from a prisoner at interpretation state fisses mentions me by name but does not provide information deficting gang activity in my part.
  - (i) CDC-1288 Costidential Memo dated 3/29/04- Jimply 1290-11

    intermation taken from a RVR written in 1190 where I was

    tound quilty of an assault. The intermed Calsely claims

    I had directed assaults against Northern Hispanic inmates

    at PBSP during some unspecified time, when we such we that

has ever been documented (4):506-128 B. Confidential Memo dated B/10/ed- States my name and intumber bound in exalter presoners shows book. No tisk to gang petivity, is evidence that I ever warmen cuted with this person. 15) (CDC. 128 B Confidential Memo dated 11/18/123 - Self-serving debue Ging istatement alleging unverified, and now-specific and of misconduct (4) COC-128B Confidential Meno dated 14/7/03- Alleger gong 12:5001-trois with no specific reference to verifiable acts. (7)1006-128B Confidential meno datad 8/8/02- Alleges through hearsay that I was isstructing insoners us how to communicate us sade is a self-serving debruhing statement with no direct evidence (B) CDC-128B confidential Mana deted 3/5/02- To framout claims I juas directing gang activities and providing was jons to other

1941501215 yet others No direct or verifiable evidence of such (1) CDC-128 B wohdeshed mane deted 12/12/01 - Allege a conflict this individual having safety converus. I No allegations of joining factivity sierc mude. (10) CDC-128 B Confidential Memo dated 1/5/00 interestable information

(10) CDC-128 B Confidential Memo dated 3/14/17 No specific gang

activity alleged

(17) CDC-128 B Confidential Memo dated 1/17/410 No specific gang factivity is alleged. Memo dated 2/10/99 - Simply makes relevence 112) CDC-128 B Cook desition lound guilty of mutual wombst. to RUR inhere I was Memo\_dated 1/3/94 - Viscloses that a note (14).CDC-1286 Confidential

is used intercepted via legal correspondence, but does not reveal

(15) CDC-128 B) Coshdestral Memo dated 5/13/93- Informat claims

(Nowledge of my being accepted into membership, and references

an alleged assault on my crime partner that I was never

aware of No direct avidence of mis conduct is provided.

(16) CDC-128 to Confidential memo dated 211/93- A debriefer claims.

I wrote to another proponer seeking to have an individual assaulted. No direct evidence provided to show any such communication iever look place.

(17) CDC-128 B Controlestail memo duted 10/29/92 - Documents a birthday card that was sent from one prisoner to his brother

No gang activity noted.

(18) CPC-128 B Cookedestral memo dated 7/2/11 - Debrieter claims agrocuation, but offers no direct link to specific acts.

(19) CDC-128 B Confidential memo deted 8/31/20 - Debruele- claims association will no ividence of misconduct.

(20) CDC-128 B ashdertial memo dated 2/31/40 NO Spice his gary activity alleged.

(21) CDC-128 B confidential memo dated 4/1/90. Debriefij slatement containing no verifiable acts of gang activity.

[22] COC-128 B Confidential memo duted "120/89- Intermant claimed

I was involved in racial disturbance of New Fulson when

I was specifically bound not guilty" of such misconduct.

makes no reture se to specific gang activity.

association without evidence of specific acts

Finally, because all of the above cited documents did

process at issue here they are wholly wrelevent and are sumpletely misleuding as to how I have widucted myxelf over the course of the 20tyrs, of my current iscarceration. Many acts of serious miscouduct are alleged, yet a remain of my prison file shows I have were been charged or bound quilty via a CDC-115 RVR of conduct which shows I have peen as deeply involved in gang autivity as prison officials seem to be trying to consider the court I have been.

Again, I vehenently declare I am not now, nor have I ever been a member of a prison gang, and assent that the only reason I was vilidated as a member is because I returned to become an informant.

131 Acura de c-43165

RESPONSE B

To: P.T. Haw Kes

IPBSP-SHU

Correctional Counselor I

From: A. Acura # C-43165

: PBSP- SHU | FD6-113

Date : JANE 05, 2006

Re: Superior Court Case # HCPB - 05-5242

on lejozjob, I received written Notice that I would be interviewed by the IGI on 4/5/06 per aw agreement entered into petween the Attorney General's office and the attorney representing time is the above referenced court action where I chellenged my validation as a member of a prison good and the indeterminate term of segregation imposed as a result of that validation. A total of (27) CDC-1030 Confidential Information Disclusive Forms were provided, some of them duting back almost 20-yrs. But only (3) al there were actually relied on in the validation grocess, and if was the first time ever the information constanced there i was revealed to me. Mecause the purpose of the Gothcoming interview is to determine whether I was provided with the due process required by law in the validation and examine the source items to see it they support my validation is a member of a prison gang, each of these documents is addressed as Collows.

(1) CDC-128 A (Confidential Memo duted 4/21/00 - The New 1080 Korm discloses that I received a letter from my NIECE, losie Achar, while I was at CCI where she wrote she had seen Arthur Estrada and gave him my address.

The form does not allege that I ever communicated with Estradithrough my niece in any way shape or form, cither directly or indirectly. It does not show I actively promoted, furthered or interted any verified gang activity, and containly does not by any means establish I have been accepted into membership by the criteria rel forth in the Code of Regulations. At most, it indicates I know Estrada because we are from the same neighborhood and I grew up with his mom and Dad and we were cell mates here at PBSP-SHU in the mid-1990's. But more importantly, it cannot be disjusted the documented information was not disclosed to me in accordance with as Inblished criteria grior to what the validation fackage was submitted to the LEIU in

(2) COC-128 B confidential memo dated 4/23/09- The waw 1030 form I received on 6/02/00 futs booth Numerous allegations of gauge activity, documenting that I was reportedly instructing innetes about gauge activity. That I was sending money to various individuals, that I targeted a prisoner for assault, and a note endorsing my actions was signed by ten velidated gange members from PBSP. All of this information is patently false and unvershed, the so-called note never existed, and because the charges of miscourfued are so serious, it cannot be argued that it preson efficials had actually accepted the information as true they would have been obligated by provisions in the Code of Regulations to issue a RVR, and at the very least should have placed me in Adding and Jakes preventive measures to insure the sulety of the individual the informant

claimed I was two geting hor assault. Obviously, the debriefer who provided this false information could not have had first. Thand Knowledge of something that never occurred and was juble to make these wild accusations because he know I then arrived from PBSP still and was simply assisting himself in the debriefing process knowing the IGI would accept the information as true once the debriefer inflicated himself in gain activity. Also, a review of the downards shows the information was not properly disclosed before the validations package was submitted to the LEIM.

(3) KDC-128 & Confidential Mimo duted 12/12/03 - This new and expanded disclosure form documents that a note was recovered from a prisoner's call where another prisoner speculates I may have been provided with information dealing with prison folitics by yet another prisoner, but does not allage any gang activity on my part. I was never aware of the pituation described to the note until now, and is any case the source them does not establish that I had been accepted with membership of a gang, does not is any thing ships or form indicate I was specifically acting to burther, aid or abot criminal gang activity, and was not disclosed before the validation package was submitted to the LEIU.

But more importantly, taken individually or collectively, the source items do not establish I have been accepted into factual membership in accordance with the criteria set booth in the code of Regulations. A review of the record shows that the source items were not disclosed according to mandatory procedures and do not contain evidence of verified

gang activity.

Furthermore, great emphasis must be put on the fact that

I remained in the general population of various prisons for

almost 4-yrs. after I was granted in active status in 2000

and that not once during that time period was I issued

a cDC-115 RVR for the serious gang misconduct alleged

in the source items. Instead, documentation in my

prison file shows I performed all of my assigned duties

diligently, that I received commondatory work reports from

all of my supervisors and was regularly rewarded with

classification score reductions for good conduct.

Finally I am stating for the record that this is the first time ever the information winterwed in the 3-saurce items used in the validation process has been disclosed to me, I assert that all of the allegations of gang activity contained thereis are fulse. I submit the analy reason I was validated was because I refused to be come an informant, and under penalty of perjury declare I am not now have I ever been a member of a gang.

131 Cercadio Claina A. Acuna C. 43165

ATTACHMENT 3

DE TRIMENT OF CORRECTIONS

INMATE NUMBER C43165	INMATE NAME:	ACUNA, ARCADIO
Use of Confidential Information.	•	
Information received from a confidential	•	ered in the: submitted by
<ul> <li>a) CDC-115, Disciplinary Report dated</li> </ul>		
	STAFF NAME, TITLE	
b) CDC-114-D, Order and Hearing for the	Placement in Segregated I	Housing dated
<ol> <li>Reliability of Source.</li> <li>The identity of the source(s) cannot be discled</li> <li>This information is considered reliable bed</li> </ol>		e source(s) or the security of the institution.
a) This source has previously provided	confidential information w	hich has proven to be true.
	essfully completed a Polyg	graph examination.
	provided the same inform	nation.
c) More than one source independent	self in a criminal activity at	t the time of providing the information.
	ne source(s) has already p	proven to be true.
e) ☐ Part of the information provided by to f) ☑ Other (Explain)		
Letter from EME member "Tudy	" Arthur Estrada V26050	
Disclosure of information received.		
In a letter from EME member "Tudy" Arthumendoza W15593 (discharged) [at 21957 as "the hometown Arcadio." Estrada wrote does not appear to be a concern to Estrainformation identified the misled individual Acuna was identified as training EME ass	e that Acuna may have la, for he said after this	misled another individual a little. This "So really I'm not tripping." Staff endoza J84814 of Casa Blanca.
	onal space needed, attach and	
4) Type and current location of documentation	, (for example: CDC-128-l	B of 5-15-86 in the confidential material
folder).		
Confidential Memorandum dated Oc	ober 3, 2005 in confide	ential section of C-File
7/ /		
1.1.12whan		, , , , , , , , , , , , , , , , , , , ,
D. T. Hawkes, Correctional Counselor II		June 2, 2006  DATE DISCLOSED

RTMENT OF CORRECTIONS DE

# CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER	C43165	INMATE NAME:	ACUNA, ARCADIO	
Use of Confident	tial Information.			
	eceived from a confidential so 5, Disciplinary Report dated _			_ submitted by
		STAFF NAME, TITL	.E	
b) CDC-11	4-D, Order and Hearing for Pla	acement in Segregate	ed Housing dated	
	urce. he source(s) cannot be disclose in is considered reliable becau		} the source(s) or the security	of the institution.
a) This sou	rce has previously provided co	onfidential information	n which has proven to be tru	ie.
b) ☐ This sou	rce participated in and succes	ssfully completed a Po	olygraph examination.	·
c)  More that	an one source independently p	provided the same inf	ormation.	•
d) ☐ This sou	rce incriminated himself/herse	elf in a criminal activit	y at the time of providing the	e information.
e)∐ Part of ti	ne information provided by the	source(s) has alread	ly proven to be true.	
f) 🔯 Other (E				
Notes	confiscated from Brent E	bert H78330 of Sh	ermans at Calipatria Sta	te Prison.
3) Disclosure of inf	formation received.			
	author (identified as EME a ent, "Anyway get at Cadio a are that Spanky and Straño E P05117.	ana ler mitti kilisiw v		TIM WIND
				·
				·
	(If addition	al space needed, attach	another sheet.)	
4) Type and curre	nt location of documentation,	(for example: CDC-1	28-B of 5-15-86 in the confid	lential material
Confidenti <u>al</u>	Memorandum dated Octo	ber 12, 2004 in co	nfidential section of C-Fil	e
0000				
11.10	A Proof		June 2,	2006
D. T. Hawkes, C	orrectional Counselor II		DATE DISC	

DISTRIBUTION: WHITE on Central File; GREEN to Inmate; YELLOW to Institution Use

RTMENT OF CORRECTIONS DE

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER	C43165	INMATE NAME:	ACUNA, ARCADIO	· · · · · · · · · · · · · · · · · · ·
Use of Confider	ntial Information.			
Information	received from a confident	ial source(s) has been cor	sidered in the:	
				submitted by
a) CDC-11	o, bisopinally report de			
		STAFF NAME, TITL	E	
b) CDC-11	4-D, Order and Hearing f	for Placement in Segregate	ed Housing dated	• .
2) Reliability of So	urce.			
The identity of	the source(s) cannot be dis	sclosed without endangering	the source(s) or the security	y of the institution.
This information	on is considered reliable b	pecause:	٠.	
a) This so	arce-has previously provid	led confidential information	n which has proven to be to	ue.
b) This so	urce participated in and si	accessfully completed a Po	olygraph examination.	
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	Explain)			
		nber "Turtle" Mark Quiro	oz C50887 of Colton	
Ador 3) Disclosure of in	formation received.	IUEI TUITE MAIN GENE		
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Acuna's name w book contained t	as in the address book he names of over 130	of EME member "Turt EME members and ass	le" Mark Quiroz C50887 sociates. Both Acuna's r	of Colton. The ame and CDC#
were entered.		,	•	
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folder)				
Confidential	CDC Form 128B date	d August 10, 2004 in co	onfidential section of C-I	-ile
D.T. X		•		
		11	June 2,	2006
D. I. Hawkes, C	orrectional Counselor	11	DATE DISC	CLOSED

DISTRIBUTION: WHITE no Central File; GREEN no Inmate; YELLOW no Institution Use

DL ARTMENT OF CORRECTIONS

# CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER	C43165	INMATÉ NAME:	CUNA, ARCADIO	
Use of Confiden				
•		tial course(s) has been conside	ared in the:	
		tial source(s) has been conside		submitted by
a) CDC-11	5, Disciplinary Report da	ated		_ ```
· · · · · · · · · · · · · · · · · · ·		STAFF NAME, TITLE		
b) CDC-11	4-D, Order and Hearing	for Placement in Segregated H	lousing dated	
This information	the source(s) cannot be di on is considered reliable	isclosed without endangering the because:		
a)∏ This sou	ırce has previously provi	ded confidential information wh	nich has proven to be tru	je. į
b) This sou	urce participated in and s	uccessfully completed a Polyg	raph examination.	•
c) 57 More th	an one source independe	ently provided the same informa	ation.	
d)⊠ This so	urce incriminated himself	/herself in a criminal activity at	the time of providing the	e information.
e)M Part of f	he information provided	by the source(s) has already p	roven to be true.	
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D. I. HOWALDS, C	STAFE SIGNATURE TITE	E	DATE DISC	ントウタにカ

DISTRIBUTION: WHITE at Central File; GREEN at Inmate; YELLOW to Institution Use

DL RIMENT OF CORRECTIONS

Information received from a confidential source(s) has been considered in the:  a) CDC-115, Disciplinary Report dated	NMATE NU	JMBER	C43165		INM	ATE NAM	E:	ACUNA, ARCAI	DIO	
a) CDC-115, Disciplinary Report dated  STAFF NAME, TITLE  b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated  Reliability of Source.  The Identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution. This information is considered reliable because:  a) This source has previously provided confidential information which has proven to be true.  b) This source participated in and successfully completed a Polygraph examination.  c) More than one source independently provided the same information.  d) This source incriminated himselifiherself in a criminal activity at the time of providing the information.  e) Part of the Information provided by the source(s) has already proven to be true.  f) Other (Explain)  Note discovered in cell of "Duke" Victor Miranda K59950 of Pico Viejo, Dec. 4, 2003  3) Disclosure of Information received.  The note was sent to Miranda from "Nene" Hugo Hernandez H05442 of San Fer.— Jokers. Hernandez wrote:  Beto and Cario are close friends and they work in Auto Body. What I meant to say is take Conejo's yaves are sent to the same conejo to the prove it. Sort I think Beto must have told Cario I told Clego that I was genona take the yaves from Conejo. Lan prove it. Sort I think Beto must have told Cario I told Clego flat I was genona take the yaves, but it was never Toto's. It was Terco'sIf I can get granted to put Clego, Beto, Cario, Conejo and myself all together the truth will come out. It will show that yes Beto was under the wrong impression and he ran with it." Glibert Lopez K6884 is "Beto' of San Diego Armando Molinar D53456 is "Conejo' of Evergreen. Robert Lopez C06986 is "Toto' of Santa Paula. Victor Acuna D33299 is "Terco' of Beassett Grande. The term "yaves" is "llaves," and refers to authorization to conduct EME gang activities on behalf of the EME.  (If additional space needed, attach another sheet.)  A The Water Discussion of Confidential Memorandum dated December 12, 2003 in confidential section of C	I) Use of	Confider	itial Information.					,		
STAFF NAME, TITLE  b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated  2) Reliability of Source.  The Identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution. This information is considered reliable because:  a) ☐ This source has previously provided confidential information which has proven to be true.  b) ☐ This source participated in and successfully completed a Polygraph examination.  c) ☐ More than one source independently provided the same information.  d) ☐ This source incriminated himself/herself in a criminal activity at the time of providing the information.  e) ☐ Part of the Information provided by the source(s) has already proven to be true.  f) ☑ Other (Explain) ☐ Note discovered in cell of "Duke" Victor Miranda K59960 of Pico Viejo, Dec. 4, 2003  3) Disclosure of Information received.  The note was sent to Miranda from "Nene" Hugo Hernandez H05442 of San Fer. — Jokers. Hernandez wrote: Beto and Cario are close friends and they work in Auto Body. What I meant to say is take Conejo's yaves are did. I got the yaves from Conejo. I can prove it. So I think Beto must have told Cario I told Clego that I was never Toto's. It was Terco's If I can get granted to put Clego, Seto, Cario, Conejo and myself all together the truth will come out. It will show that yes Beto was under the wrong impression and he ran with it." Gilbert Lopez K8884 is "Beto" of San Diego Armando Molinar D53455 is "Conejo" of Evergreen. Robert Lopez C06986 is "Toto" of Santa Paula. Victor Acuna D33299 is "Terco" of Bassett Grande. The term "yaves" is "llaves," and refers to authorization to conduct EME gang activities on behalf of the EME.  (If additional space needed, attach another sheet.)  4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder).  ———————————————————————————————————						nas been d	consid	dered in the:		submitted by
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Confidential Memorandum dated December 12, 2003 in confidential section of C-File  D. T. Hawkes, Correctional Counselor II  STAFF SIGNATURE, TITLE  D. T. Hawkes, Correctional Counselor II  DATE DISCLOSED				(If additio	nal space n	eeded, atta	ch and	other sheet.)		
Confidential Memorandum dated December 12, 2003 in confidential section of C-File  D. T. Hawkes, Correctional Counselor II  STAFF SIGNATURE, TITLE  DATE DISCLOSED	<b>4) Тур</b> е а	and curre	nt location of doc	umentation	, (for exam	ple: CDC	<b>-12</b> 8-	B of 5-15-86 in the	confiden	tial material
D. T. Hawkes, Correctional Counselor II  STAFF SIGNATURE, TITLE  DATE DISCLOSED	folder). 🔃	····					<del></del>			
D. T. Hawkes, Correctional Counselorn Date Disclosed	Conf	idential	Memorandum	dated Dec	ember 12	2, 2003 iı	n coi	nfidential section	of C-Fil	ė
D. T. Hawkes, Correctional Counselorn Date Disclosed	Dil	700	Mes	*						
STAFF SIGNATURE, ITLE	D. T. Hav	wkes, C	orrectional Cou	nselor II			. <u>-</u>			
	<u></u>		STAFF SIGNATU	KE, IIILE	entral Filer	GREEN mil	Inmate			فسلسوال

DE. RTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INI	MATE NUMBER	C43165	INMATE NA	AME: ACUNA, ARC	ADIO
1)	Use of Confiden	tial Information.			
	Information	oceived from a conf	fidential source(s) has bee	in considered in the:	
			ort dated		submitted by
	a) CDC-11:	s, disciplinary repo	At dated		
	·		STAFF NAME	E, TITLE	
	b) CDC-11	4-D, Order and Hea	ring for Placement in Segr	regated Housing dated	<u> </u>
2)	Reliability of Sou	irce.			
	The identity of t	he source(s) cannot l n is considered relia	be disclosed without endang	gering the source(s) or the	security of the institution.
	a) ☐. This sou	rce has previously t	provided confidential inform	nation which has proven	to be true.
	b) This sou	rea nesticipated in a	and successfully completed	d a Polygraph examinatio	On.
			endently provided the san		
•	c) More tha	in one source indep	nself/herself in a criminal a	activity at the time of prov	viding the information.
	d)⊠ This sou	rce incriminated nin	isen/hersen in a cirilina c	dready proven to he tale	
			ded by the source(s) has a		
	f) 🔲 Other (E	xplain)			
3)	Disclosure of inf	ormation received.			· ·
Ar W	n EME associat	e during a debrief participate in EMI	fing interview, reported E gang politics.	I,that Acuna is an inac	ctive EME associate
,					
			$\hat{T}_{ij}(k) = 0$ ( $\hat{x}_{ij}(k)$		
	•		(If additional space needed, a	ittach another sheet.)	
4)	Type and currer	nt location of docum	entation, (for example: CE	)C-128-B of 5-15-86 in the	ne confidential material
fo	lder).				
	Confidential	Memorandum dal	ted November 18, 2003	3 in confidential section	on of C-File
	D.T. A	Define_	<b>-</b>	,	
D.	- . T. Hawkes. Co	orrectional Couns	elor II		June 2, 2006 DATE DISCLOSED
	- ,	STAFF SIGNATURE	TITLE	L	シイ・ド ひじんけんりたい

DISTRIBUTION: WHITE to Central File; GREEN to Inmate; YELLOW to Institution Use

DL. ARTMENT OF CORRECTIONS

NMATE NUMBER C4	3165	INMATE NAME:	ACUNA, ARCADIO	
Use of Confidential in				
•	ved from a confidential sou	urce(s) has been con:	sidered in the:	
	isciplinary Report dated			submitted by
a) CDC-115, D	acibilitaly izebolt dated			·
		STAFF NAME, TITLI		
b) CDC-114-D.	Order and Hearing for Pla	cement in Segregate	d Housing dated	•
2) Reliability of Source	,			
The identity of the s	ource(s) cannot be disclose	d without endangering	the source(s) or the security	of the institution.
This information is	considered reliable because	se:		•
a) This source	nas previously provided co	nfidential Information	which has proven to be tru	€,
b) This source	participated in and success	sfully completed a Po	lygraph examination.	
c\⊠ More than o	ne source independently p	rovided the same info	mation.	
d)⊠ This source	incriminated himself/herse	If in a criminal activity	at the time of providing the	information.
e) 🖾 Part of the in	formation provided by the	source(s) has alread	y proven to be true.	•
n ☐ Other (Expla	in)			
1) L. Outo, (EAP)		!		•
3) Disclosure of inform	ation received.			
changed to inactive. The There were doubts about the gang. While at CCI, A EME members "Terco" A Loma, and "Popeye." Act Mark Galvan H91736 of A	source related that Acuna is the granting of EME memblacuna was taking care of foucuna, "Sleepy" Gabriel Huer and was reportedly instructing Arlanza for assault. The largeuna's name was on a list of ection became known as the PBSP	ership due to Acuna's or or five EME member ta C80766 of Wilmas, no the inmates about the ting of Galvan for ast fersons the EME was "Magnificent Seven."	ased from PBSP-SHU after gawaiting confirmation of EME age and the fact he had not it is at PBSP-SHU. Acuna was "Chino" David Delgadillo D16 re EME. Acuna reportedly targault was questioned by anot is protecting. Acuna and the other note endorsing this action	dilled anyone for sending money to 1318 of Geraghty geted "Squid" her person
	(If additiona	al space needed, attach a	nother sheet.)	
4) Type and current lo	cation of documentation, (	for example: CDC-12	8-B of 5-15-86 in the confid	ential material
folder).				
Confidential Merr	orandum dated Septemb	er 23, 2003 in confi	dential section of C-File	
D.T. Hand				
D. T. Hawkes, Corre	ectional Counselor II		June 2, 2	
D. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	STAFF SIGNATURE, TITLE		DATE DISC	

RTMENT OF CORRECTIONS DL

INMATE N	NUMBER <u>C43165</u>	INMATE NAME: ACUNA, ARCADIO
1) Use o	of Confidential Information.	
in	iformation received from a confidential so	urce(s) has been considered in the:
	) CDC-115, Disciplinary Report dated	submitted by
Δ,	, 350 (75, 270)p.ma.y (coport = 100)	
		STAFF NAME, TITLE
b)	) CDC-114-D, Order and Hearing for Pla	acement in Segregated Housing dated
2) Reliat	bility of Source.	
The	identity of the source(s) cannot be disclosed	d without endangering the source(s) or the security of the institution.
	information is considered reliable because	
a)[∑	This source has previously provided co	onfidential information which has proven to be true.
b) [		sfully completed a Polygraph examination.
c) 🔀		
-d)⊠		If in a criminal activity at the time of providing the information.
e)⊠		source(s) has already proven to be true.
f) [	<del></del>	
, _		
3) Disclo	osure of information received.	•
knew as	debriefing interview with an EME m "Cadio" of Cucamonga. Acuna is rei s identified.	ember, who identified Acuna as an EME associate he ferenced on a list as an EME associate. No specific gang
	(If additional	space needed, attach another sheet.)
4) Type	and current location of documentation, (fo	or example: CDC-128-B of 5-15-86 in the confidential material
folder).	*	
Con		17, 2003 in confidential section of C-File
77.2	Head is	
		June 2, 2006
<u>u. i. na</u>	wkes, Correctional Counselor II	DATE DISCLOSED

RTMENT OF CORRECTIONS DE

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

NMATE NUMBER	343165	INMATE NAME:	ACUNA, ARCADIO
1) Use of Confidentia	Information.		•
information rec	eived from a confidential source	ce(s) has been con	nsidered in the:
	Disciplinary Report dated		4 1 1.1
a) CDC-115,	Disciplinary Mebolt dated		
		STAFF NAME, TITL	E
b) CDC-114-	), Order and Hearing for Place	ment in Segregate	ed Housing dated
2) Reliability of Source	e.		
The identity of the	source(s) cannot be disclosed w		the source(s) or the security of the institution.
	s considered reliable because:		which has proven to be true
			which has proven to be true.
	participated in and successfu		
c) More than	one source independently prov	vided the same into	ormation.
			y at the time of providing the information.
e) 🛛 Part of the	information provided by the so	ource(s) has alread	ly proven to be true.
f) Dother (Exp	lain)		
3) Disclosure of infor	nation received.	·	
how to communicat Acuna used "Dean"	e in code. Acuna used this	code in his corre	espondence with "Popeye" at PBSP. his letters to avoid staff detection that
	/li additional st	pace needed, attach a	another sheet.)
<ol><li>Type and current I</li></ol>	ocation of documentation, (for	example: CDC-12	8-B of 5-15-86 in the confidential material
folder)			
Confidential Me	emorandum dated August 8	8, 2002 in confid	lential section of C-File
D.T. Hank			
D. T. Hawkes, Corr	ectional Counselor II	·	June 2, 2006
	STAFF SIGNATURE, TITLE		

DISTRIBUTION: WHITE to Central File; GREEN to Inmate; YELLOW to Institution Use

DL IRTMENT OF CORRECTIONS

#### CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER C43165	INMATE NAME: ACUNA, ARCADIO			
Use of Confidential Information.				
Information received from a confide	ial source(s) has been considered in the:			
	ted submitted by			
,				
	STAFF NAME, TITLE			
b) CDC-114-D, Order and Hearing	or Placement in Segregated Housing dated			
2) Reliability of Source.				
The identity of the source(s) cannot be	sclosed without endangering the source(s) or the security of the institution.			
This information is considered reliable				
a) This source has previously pro-	led confidential information which has proven to be true			
b) This source participated in and	iccessfully completed a Polygraph examination.			
c) More than one source independently provided the same information.				
	herself in a criminal activity at the time of providing the information.			
	y the source(s) has already proven to be true.			
f) Other (Explain)				
,	•			
Disclosure of information received.				
Signeros D68626) of Trece Locos wei	at Acuna and "Jo Jo" (identified as EME associate Anthony directing the gang activities in PBSP ASU in 1990. Acuna was r EME associates. The source identified Acuna as an EME anga.			
	When all accounts and attach another planet			
	ditional space needed, attach another sheet.)			
<ol><li>Type and current location of document</li></ol>	ion, (for example: CDC-128-B of 5-15-86 in the confidential material			
folder)	· · · · · · · · · · · · · · · · · · ·			
Confidential Memorandum dated	March 5, 2002 in confidential section of C-File			
77/ H				
U. S. Dollar				
D. T. Hawkes, Correctional Counselo STAFF SIGNATURE, TITI	June 2, 2006 ·			
_ OTAL GIOLOGIAL IIII				

DISTRIBUTION: WHITE un Central File; GREEN an Inmate; YELLOW on Institution Use

RTMENT OF CORRECTIONS

NMATE NUM	BER <b>C43165</b>	INMATE NAME:	ACUNA, ARCADIO	
1) Use of Co	infidential Information.		•	
Inform	nation received from a confidential s	source(s) has been con	sidered in the:	
	DC-115, Disciplinary Report dated		ابيم	bmitted by
<b>-</b> , -			***	
•		STAFF NAME, TITL	<b>=</b>	<b>\</b>
b) Cl	DC-114-D, Order and Hearing for F	Placement in Segregate	d Housing dated	
2) Reliability	of Source.			
The iden	tity of the source(s) cannot be disclos		the source(s) or the security of th	e institution.
	rmation is considered reliable beca		which has proven to be true.	
a}∐ in	nis source has previously provided	colinoendal mormador	warnh evamination	
	ris source participated in and succe			
	ore than one source independently			rmation
	nis source incriminated himself/her			imator,
	art of the information provided by th			
f) 🔲 O	ther (Explain)			
3) Disclosure	e of information received.			
Library on D goes behind	nt stated a conflict occurred bet December 4, 2001. When Acun I the counter, Smith began call I in Smith having safety concer	a warned Smith he c ing Acuna a "rat" and	d a "snitch." According to the	report ir ire
		•		
	(If additio	nal space needed, attach a	nother sheet.)	
4) Type and	current location of documentation,	(for example: CDC-12)	8-B of 5-15-86 in the confidentia	l material
folder).				
	ential Memorandum dated Dec	ember 12, 2001 in c	onfidential section of C-File	
01	-2/W			
[/-/1	of Sulle			•
D. T. Hawk	es, Correctional Counselor II STAFF SIGNATURE, TITLE		June 2, 2006  DATE DISCLOSEI	)
	DISTRIBUTION: WHITE ON CO	entral File; GREEN 🕮 Inma	ate; YELLOW institution Use	÷

RTMENT OF CORRECTIONS Dί

C43165	TE NAME: ACUNA, ARCADIO
1) Use of Confidential Information.	
Information received from a confidential source(s) has	s been considered in the:
a) CDC-115, Disciplinary Report dated	
a) CDC-115, Disciplinary Report dates	
STAFF I	NAME, TITLE
b) CDC-114-D, Order and Hearing for Placement in	Segregated Housing dated
2) Reliability of Source.	
The identity of the source(s) cannot be disclosed without er  This information is considered reliable because:	ndangering the source(s) or the security of the institution.
a) This source has previously provided confidential in	information which has proven to be true.
b) This source participated in and successfully comp	
c) More than one source independently provided the	inal activity at the time of providing the information.
e) ☐ Part of the information provided by the source(s) f f) ☑ Other (Explain)	indo ani onaly production and an incident and
Letter from Josie Acuna to Arcadio Acuna	
2) Disclosure of information received.	
In a letter, Josie Acuna informed Arcadio Acuna that sat the Department of Motor Vehicles. She informed Acand Estrada said he would soon be corresponding with anything important to pass along to Estrada, he simpledeliver it to Estrada	cuna that she gave Estrada Acuna's address, the him. Josie Acuna also stated that if there is
	·
<ol> <li>Type and current location of documentation, (for example</li> </ol>	e; CDC-128-B of 5-15-86 in the confidential material
folder).	
Confidential CDC Form 128B dated September 2	21, 2000 in confidential section of C-File
77-7/4	
1.1. 8/2000s	· \
D. T. Hawkes, Correctional Counselor II	June 2, 2006

**ARTMENT OF CORRECTIONS** 

INMATE NUMBER	C43165	INMATE NAME:	ACUNA, ARCADIO	
Use of Confider	itial Information.			
Information	monimed from a confident	tial source(s) has been co	nsidered in the:	•
	5, Disciplinary Report da			submitted by
a) CDC-11	o, Disciplinary Report da	rea		- · ·
· · · · · · · · · · · · · · · · · · ·		STAFF NAME, TIT	LE	
b) CDC-11	4-D, Order and Hearing t	for Placement in Segregat	ed Housing dated	•
2) Reliability of So	urce.			
	the source(s) cannot be dis on is considered reliable t		g the source(s) or the security	of the institution.
			n which has proven to be tru	e.
		uccessfully completed a P		
· <del></del>				
c) More th	an one source independe	intly provided the same inf	vimation.	information
d) 🔯 This sou	rce incriminated himself/	herself in a criminal activit	ty at the time of providing the	IIIO()IIIQ(OII-
		by the source(s) has alread		•
f) 🔲 Other (E	explain)	· · · · · · · · · · · · · · · · · · ·		
3) Disclosure of in  During a debriefir  "Arcadio" of Cuca activity is identified	ng interview, an EME a amonga. Acuna is refe	associate identified Act renced on a list as an I	una as an EME associate EME associate. No spec	he knew as
MORALET TO MOTHER	· ·			
			-	
	(If ad	ditional space needed, attach	another sheet.)	
4) Type and curre	nt location of documentat	tion, (for example: CDC-12	28-B of 5-15-86 in the confid	ential material
folder).				
Confidential	Memorandum dated J	lanuary 5, 2000 in conf	idential section of C-File	
_ 7/	) 2			
D.T. NON	feel	٠.	•	,
D. T. Hawkes, C	orrectional Counselor	[1	June 2, 2	
	STAFF SIGNATURE, TITLE	<u>.</u>	DATE DISCI nate: YELLOW ו Institution Use	∙∩⊅⊑⊓

'ARTMENT OF CORRECTIONS

NMATE NUMBER	C43165	INMATE NAME:	AGUNA, ARCADIO	
) Use of Confider	itial Information.			
Information	received from a confiden	itial source(s) has been cor	sidered in the:	
				mitted by
u, 000 , ,	o, o.co.p.i. a.y . tope			
		STAFF NAME, TITL	E	
b) CDC-11	4-D. Order and Hearing	for Placement in Segregate	ed Housing dated	
) Reliability of So	urce.	·		
The identity of	the source(s) cannot be di		the source(s) or the security of the	institution.
			which has proven to be true.	
		uccessfully completed a Po		
		ently provided the same info		
			y at the time of providing the infon	mation.
		by the source(s) has alread		,
<del></del>				
f) Other (E	xpiain)			
) Disclosure of in	formation received.		}	
During a debriefi Cadio" of Cucan s identified.	ng interview, an EME longa. Acuna is refere	associate identified Actenced on a list as an EN	una as an EME associate he l lE associate. No specific gan	knew as ig activity
			<b>.</b> .	
•				•
	(If ad	iditional space needed, attach a	nother sheet.)	•
) Two and curre	•	•		material
	•	•	nother sheet.) 8-B of 5-15-86 in the confidential :	material
older).	nt location of documentat	tion, (for example; CDC-12	8-B of 5-15-86 in the confidential	material
older).	nt location of documentat	tion, (for example; CDC-12		material
older).	nt location of documentat	tion, (for example; CDC-12	8-B of 5-15-86 in the confidential	material
Confidential	nt location of documentat	tion, (for example: CDC-12 March 14, 1997 in confid	8-B of 5-15-86 in the confidential	material

ARTMENT OF CORRECTIONS

#### CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE N	UMBER	C43165	IN	MATE NAME:	ACUNA, ARCAD	10
1) Use of	Confiden	fial Information.			,	
Info	ormation i	eceived from a confide	ntial source(s)	has been con	sidered in the:	
		5, Disciplinary Report d				submitted by
•						-
	<u> </u>		STA	FF NAME, TITL	E	
b)	CDC-11	4-D, Order and Hearing	for Placemen	it in Segregate	d Housing dated	
2) Reliabi	lity of Sou	irce.				
		ne source(s) cannot be on is considered reliable		ut endangering	the source(s) or the se	curity of the institution.
. a) [	This sou	rce has previously prov	ided confident	ial information	which has proven to	oe true.
b) 🔲	This sou	rce participated in and	successfully o	ompleted a Po	lygraph examination.	
c) 🛛	More tha	n one source independ	ently provided	the same info	rmation.	
d)⊠	This sou	rce incriminated himsel	f/herself in a c	riminal activity	at the time of providing	ng the information.
e) X	Part of th	e information provided	by the source	(s) has already	proven to be true.	
` f) 🔲	Other (E	oplain)	<u> </u>	· · · · · · · · · · · · · · · · · · ·		
This is a directing (	debriefir gang act lded that	ormation received.  Ig interview with an livities on behalf of the Acuna's cellmate w	ie EME at th	e PBSP Adm	inistrative Segrega	tion Unit. The
EME asso	ociale kn	own as "Cadio."				
			•			,
•		•				
		(If a	dditional space n	needed, attach ar	other sheet.)	•
4) Type a	nd curren	t location of documenta	tion, (for exan	nple: CDC-128	-B of 5-15-86 in the co	onfidential material
folder)						
Confi	dential (	DC 128B dated Nov	<u>/ember</u> 7, 19	96 in confide	ential section of C-F	ile
	<i></i>					•
D.Z.	A Za	fee				<i>y</i>
D. T. Haw	rkes, Co	rrectional Counselor	1	١		2, 2006
		STAFF SIGNATURE, TITL	Ē		DATE	DISCLOSED

DISTRIBUTION: WHITE III Central File; GREEN III Inmate; YELLOW III Institution Use

NMATE N	UMBER	C43165		INMATE NAME:	ACUNA, AR	CADIO	
I) Use of	i Confider	ntial Information.					
, lué	ie meetlen	received from a confi	idential source	e(s) has been cor	sidered in the:		
		15, Disciplinary Repo				\$	submitted by
a)	CDC-1	15, Disciplinary Kepo					
				STAFF NAME, TITL	Æ		
, b)	CDC-1	14-D, Order and Hea	ring for Place	ment in Segregate	ed Housing dated	d	-
2) Reliab	ility of Sc	ource.	•	•			
The i	identity of	the source(s) cannot i	be disclosed w	ithout endangering	the source(s) or	the security of	the institution.
This	informati	on is considered relia	able because:				
a)[	This so	urce has previously p	provided confir	dential informatio	n which has prov	en to be true.	4
(d	I This so	urce participated in a	ind successful	lly completed a Po	olygraph examin	ation.	
c) 🔀	More th	nan one source indep	endently prov	ided the same inf	ormation.		
,	This so	urce incriminated him	nself/herself ir	a criminal activit	y at the time of p	providing the in	formation.
d)⊠	i itiia so	the information provi	dod by the so	urca/e) has almac	Iv proven to be t	rue.	
e)[∑	Part of	the information provide	ned by the soi	urde(3) rido diroca			·
f) [	Other (	Explain)					
3) Disclo	sure of in	nformation received.					
	ie knowr a gang	ing interview with a n as "Cadio" of Cuc rival, a Northern H 5)	ramonda He	a stated Acuna	Was assaulted		i milg i toom m
			(If additional st	pace needed, attach	another sheet.)	•	
4) Type	and cum	ent location of docum	nentation, (for	example: CDC-12	28-B of 5-15-86 i	n the confiden	tial material
folder)							
•			1 - 1 <del>- 1</del> -1-1-1-1	10 1005 in co	anfidential sect	ion of C-File	
<u>Cor</u>	nfidentia	I Memorandum da	ted Februar	γ 10, 1990 III oc	Andenda aco.		
1	7	1/2 Mines					
ر. / رُ	1-01	anda				June 2, 20	06
D. T. H:	awkes, 0	Correctional Couns STAFF SIGNATURE	selor II			DATE DISCLO	
		DISTRIBUTION: W	HITE on Central	File; GREEN to Inc	nate; YELLOW 🖂 l	Institution Use	

D \_ RTMENT OF CORRECTIONS

#### CONFIDENTIAL INFORMATION DISCLOSURE FORM

NMATE NL	JMBER	C43165		INMATE NAM	E: ACUNA.	ARCADIO	
1) Use of (	Confiden	itial Information.					
Info	rmation	received from a co	onfidential sou	rce(s) has been	considered in the	9;	
		5, Disciplinary Re					submitted by
,		-	, <u></u>				·
				STAFF NAME, T	TITLE		7
b)	CDC-11	4-D, Order and H	earing for Plac	ement in Segreg	ated Housing da	ated	
2) Reliabili	ity of Sou	ırce.					
		he source(s) canno on is considered re			ing the source(s)	or the security	of the institution.
a) [	This sou	rce has previous!	y provided con	fidential informat	tion which has p	roven to be tn	ie.
b)	This sou	rce participated in	and successf	ully completed a	Polygraph exam	nination.	
c) 🗌	More tha	n one source ind	ependently pro	vided the same i	information.		
d) 🔲	This sou	rce incriminated h	imself/herself	in a criminal acti	vity at the time o	f providing the	information.
e}	Part of the	ne information pro	vided by the so	ource(s) has alre	ady proven to be	a true.	
f) 🛛	Other (E	xplain)					
3) Disclosi	Code ure of inf	d communicatio ormation received	on from EME	member Rube	n Hernandez (	C04672 to A	cuna .
Tupi" Rub he messa nade out	oen Her ige, Her alright. ass alor	mandez made r 7 years." Hema ng information to	2 to pass alo eference to " andez referer	ng a coded me Estrada v. Cuc nced a volume	essage on Jan camonga 94 D of the Daily Jo	uary 26, 199 aily Journal : ournal that d	04, to Acuna. In 237. Tudy id not exist in
							,
			(If additional s	pace needed, attac	h another sheet.)		
l) Type ar	nd curren	t location of docu	mentation, (for	example: CDC-	128-B of 5-15-86	in the confide	ential material
older}							
Confid	dential t	<u>Memorandum d</u>	ated January	31, 1994 in co	onfidential sec	tion of C-File	)
	TH	Perfect				·	
7 T U	war ca	rectional Cour	solor II			June 2, 2	9006
J. 1. ∏äW	ves' no	rrectional Coun	E. TITLE			DATE DISCL	

DISTRIBUTION: WHITE to Central File; GREEN to Inmate; YELLOW to Institution Use

STATE OF CALIFORNIA

#### DESARTMENT OF CORRECTIONS

## CDC 1030 (12/86)

#### CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER C43165	INMATE NAME: ACUNA, ARCADIO
Use of Confidential Information.	
Information received from a confident	tial source(s) has been considered in the:
a) CDC-115, Disciplinary Report da	1 12 11
Zy Opo (10, Diospinial) (10pon 40,	
	STAFF NAME, TITLE
b) CDC-114-D, Order and Hearing f	for Placement in Segregated Housing dated
2) Reliability of Source.	
The identity of the source(s) cannot be dis This information is considered reliable b	sclosed without endangering the source(s) or the security of the institution.
	ded confidential information which has proven to be true.
	uccessfully completed a Polygraph examination.
· —	ently provided the same information.
7 = -	herself in a criminal activity at the time of providing the information.
	by the source(s) has already proven to be true.
, , , , , , , , , , , , , , , , , , , ,	
Disclosure of information received.	
Cucamonga, and reported that Acuna w	ME associate. The source identified Acuna as "Cadio" of was recently (1993) granted EME membership. The source or was "Huero" Marco Ramirez C55431 of Ontario, who was associates for becoming a "Christian."
; (If add	ditional space needed, ettach another sheet.)
•	ion, (for example: CDC-128-B of 5-15-86 in the confidential material
	ion, fior example, ODG 120 2 di o 10 da in the estimativa (mainte
older).	
Confidential Memorandum dated M	May 13, 1993 in confidential section of C-File
7777	
- Naugara	June 2, 2006
D. T. Hawkes, Correctional Counselor I	DATE DISCLOSED

DISTRIBUTION: WHITE to Central File; GREEN to Inmate; YELLOW to Institution Use

DF ARTMENT OF CORRECTIONS

INMATE NUMBER	C43165	TAMNI	TE NAME:	ACUNA, ARCADIO	)
1) Use of Confid	ential Information.				•
Informatio	n received from a conf	idential source(s) has	s been cons	sidered in the:	
	115, Disciplinary Repo				submitted by
<b>( 4, 4</b>	. , . , . ,				
		STAFF I	NAME, TITLE		
b) CDC-	114-D, Order and Hea	ring for Placement in	Segregate	d Housing dated	
2) Reliability of S	Source.			,	
	of the source(s) cannot the source of the so		ndangering :	the source(s) or the secu	rity of the institution.
			nformation	which has proven to be	true.
	ource participated in a				
	than one source indep				
				at the time of providing	the information.
	f the information provid				
	(Explain)				
, •	information received.	ME associate repor		cuna was one of the	Mexican Mafia's
representatives when he was ea ne wrote to EMI Wolfie" Louis F ne was assaulte	in PBSP B Facility, ating in the dining ro E associate "Gusi" ( Robles D11016 of Ci	and was slashed a com. After Acuna a Gustavo Flores C62 asa Blanca becaus cm. Instead, Robles	across the rrived at F 2331 of Ri se Robles s was clea	face by a Northern I PBSP Administrative Ivas and directed an failed to warn or ass ared of any wrongdoi	Hispanic inmate Segregation Unit assault on ist Acuna when
		(if additional space need	ed, attach an	other sheet)	
	ent location of docume			-B of 5-15-86 in the con	fidential material
				dential section of C-F	File
2.7.	Ton his				
D. T. Hawkes. (	Correctional Counse	elor II	·		2, 2006
	Staff Signature, 1	TITLE	EEN en lamai	DATE DI e; YELLOW 🗖 Institution U	SCLOSED

DI RTMENT OF CORRECTIONS

INMATE NUMBER C43165 INMATE NAME: ACUNA, ARCADIO	
1) Use of Confidential Information.	
Information received from a confidential source(s) has been considered in the:  a) CDC-115, Disciplinary Report datedsi	ubmitted by
STAFF NAME, TITLE	•
b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated	
<ul> <li>Reliability of Source. The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the information is considered reliable because: <ul> <li>a)  This source has previously provided confidential information which has proven to be true.</li> <li>b)  This source participated in and successfully completed a Polygraph examination.</li> <li>c)  More than one source independently provided the same information.</li> <li>d)  This source incriminated himself/herself in a criminal activity at the time of providing the information provided by the source(s) has already proven to be true.</li> <li>f)  Other (Explain)  Letter from Gavaldon C15377 to Gavaldon C15376</li> </ul> </li> <li>Disclosure of information received.</li> </ul>	
In a letter from EME associate "Little Spider" Roy Gavaldon C15377 to his brother, EME in Spider" David Gavaldon C15376, the younger Gavaldon informs his brother that Acuna re letter from a lawyer who has an office in his area. Included with the letter was a birthday of for David Gavaldon signed by various EME associates, including Acuna. Acuna's message Gavaldon, with portions in Spanish translated, stated the following "With all my respect, I greetings. Hope to see you again soon. Your pal, Cadio." The letter contained coded info (numbers written in Nahuatl), references to several EME members, names of people who granted EME membership, and other EME gang-related messages.  (If additional space needed, attach another sheet.)  4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidentifolder).  Confidential Memorandum dated October 29, 1992 in confidential section of C-File	greeting card ge to send you mation were just
Confidential Membrandin dated October 25, 1882 in Square Section 2	
D. T. Hawkes, Correctional Counselor II  STAFF SIGNATURE, TITLE  DISTRIBUTION: WHITE TO Central File; GREEN TO Inmate; YELLOW TO Institution Use	

ARTMENT OF CORRECTIONS

NMATE NUMBER C43165	INMATE NAME:	ACUNA, ARCAD	10
) Use of Confidential Information.			
Information received from a conf	fidential source(s) has been cor	nsidered in the:	
a) CDC-115, Disciplinary Repo		•	submitted by
a, 626 (16, 5, 6, 6, 6, 7, 7, 7, 7, 7, 7, 7, 7, 7, 7, 7, 7, 7,	:	\	
,	STAFF NAME, TITL	E	: :
b) GDC-114-D, Order and Heal	ring for Placement in Segregate	ed Housing dated	•
Reliability of Source.			
The identity of the source(s) cannot the This information is considered relia	· · · · · · · · · · · · · · · · · · ·	the source(s) or the se	curity of the institution.
a) This source has previously p	provided confidential information	n which has proven to t	oe true.
	nd successfully completed a Po		
c) More than one source indepe	endently provided the same info	ormation.	
d) This source incriminated him	nself/herself in a criminal activity	y at the time of providin	g the information.
e) Part of the Information provide	ded by the source(s) has alread	ly proven to be true.	
f) Other (Explain)			
Disclosure of information received.  During a debriefing interview, an El Cadio" of Cucamonga. Acuna is residentified	ME associate identified Acu eferenced on a list as an EN	na as an EME asso IE associate. No sp	ciate he knew as ecific gang activity
	•		
		~	
		· .	
	(If additional space needed, attach a	another sheet.)	
Type and current location of docume	entation, (for example: CDC-12	8-B of 5-15-86 in the c	onfidential material
older).			
			•
Confidential Memorandum dat	ed May 2, 1991 in confiden	<u>tial section of C-File</u>	
Confidential Memorandum dat	ed May 2, 1991 in confiden	tial section of C-File	4 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7
Confidential Memorandum date  O. T. Hawkes, Correctional Counse		× .	e 2, 2006

DE" RIMENT OF CORRECTIONS

#### CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER	C43165 INMAT	E NAME: ACUNA, ARCADIO
1) Use of Confiden	itial Information.	
Information t	received from a confidential source(s) has	s been considered in the:
	5. Disciplinary Report dated	
4, 224		s
	STAFF	NAME, TITLE
b) CDC-11	4-D, Order and Hearing for Placement in	Segregated Housing dated
2) Reliability of Sou	urcė.	
The identity of the	the source(s) cannot be disclosed without er	ndangering the source(s) or the security of the institution.
	on is considered reliable because:	
	rce has previously provided confidential in	
b) 🗌 This sou	rce participated in and successfully comp	leted a Polygraph examination.
. ,	an one source independently provided the	•
d) 🛛 This sou	irce încriminated himself/herself in a crimi	nal activity at the time of providing the information.
e) 🛛 Part of th	he information provided by the source(s) h	as already proven to be true.
f) [ Other (E	xplain)	
3) Disclosure of info	formation received.	-
This is an intervier is referenced on a	w with an EME associate, who idental a list as an EME associate. No speci	tified Acuna as an active EME associate. Acuna ific gang activity is identified.
	'	
·.		
		) I II II II
		ed, attach another sheet.)
<ol><li>Type and curren</li></ol>	it location of documentation, (for example	: CDC-128-B of 5-15-86 in the confidential material
folder)		
Confidential	Memorandum dated August 31, 1990	) in confidential section of C-File
D T 26	Mas	
D. T. Unvilson Or	arrestional Councelor II	June 2, 2006
U. 1. Hawkes, Co	prectional Counselor II	DATE DISCLOSED

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DE RTMENT OF CORRECTIONS

#### CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER	C43165	INMATE NAME:	ACUNA, ARCADIO	)
1) Use of Confide	ntial Information.		,	
Information	received from a confidential s	source(s) has been con	sidered in the:	
	15, Disciplinary Report dated	• -		submitted by
.,		\		
		STAFF NAME, TITLE		•
b) CDC-1	14-D, Order and Hearing for F	Placement in Segregate	d Housing dated	
2) Reliability of So	ource.		Í	
	the source(s) cannot be disclos on is considered reliable beca		the source(s) or the secu	rity of the institution.
a) This so	urce has previously provided	confidential information	which has proven to be	true.
	urce participated in and succe			
•	an one source independently			
	urce incriminated himself/hers	self in a criminal activity	at the time of providing	the information.
	the information provided by th			
f) 🗌 Other (	Explain)			
	famelia randusi			
3) Disclosure of Ir	formation received.		v.	e e
An EME associa is referenced on	te identified Acuna as an l a list as an EME associate	EME associate he kn e. No specific gang	ew as "Cadio" of Cuc activity is identified	camonga. Acuna
	•		. •	•
•				
			• * •	
	(if addition	nal space needed, attach ar	nother sheet.)	
4) Type and curre	nt location of documentation,	(for example: CDC-128	1-B of 5-15-86 in the con	fidential material
folder).	· · · · · · · · · · · · · · · · · · ·			
	Memorandum dated April	l 9. 1990 in confident	ial section of C-File	
COMPONIA	/			
DINE	uffee	•		
D T Hawkes C	orrectional Counselor II			2, 2006
<u>., , , , , , , , , , , , , , , , , , , </u>	STAFF SIGNATURE, TITLE		DATE DI	SCLOSED

VRTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

NMATE NUMBER C43165	INMATE NAME:	ACUNA, ARCADIO	· \
) Use of Confidential Information.			
Information received from a confidential so	ource(s) has been cor	sidered in the:	
a) CDC-115, Disciplinary Report dated			submitted by
	·	·	
	STAFF NAME, TITL	<b>E</b>	,
b) CDC-114-D, Order and Hearing for Pla	acement in Segregate	ed Housing dated	
Reliability of Source.			
The identity of the source(s) cannot be disclose This information is considered reliable becau		the source(s) or the secur	ity of the institution.
a) This source has previously provided or	The state of the s	which has proven to be	true.
b) This source participated in and succes			
c) More than one source independently p			
d) This source incriminated himself/herse			the information.
e) Part of the information provided by the			
- —			
1) [ Other (Explain)			
) Disclosure of information received.			
This is a debriefing interview with an EME a mew as "Carrio." The source stated that Ac California State Prison Sacramento County Issault on Black inmates).	una may have bee	n involved in the riot ti	lat took place at
		•	
•			
		and the cut object t	
·	al space needed, attach a		
) Type and current location of documentation, (	for example: CDC-12	8-B of 5-15-86 in the con	fidential material
older).			
Confidential Memorandum dated Septe	ember 20, 1989 in o	confidential section of	C-File
72726	**************************************		
T Handing Connectional Compagnit		June 2	2, 2006
D. T. Hawkes, Correctional Counselor II			SCLOSED

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C ARTMENT OF CORRECTIONS

### CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER	C43165	INMATE NAME:	ACUNA, ARCADIO	·
1) Use of Confiden	tial Information.	•		
Information	received from a confidential so	ource(s) has been cons	sidered in the:	
	5, Disciplinary Report dated			submitted by
a) CDG+11	o, procipitially report dated			-
		STAFF NAME, TITLE		
b) CDC-11	4-D, Order and Hearing for Pl	lacement in Segregated	d Housing dated	•
2) Reliability of Son	irce.			
The identity of t	he source(s) cannot be disclose	ed without endangering	the source(s) or the security	of the institution.
	n is considered reliable becar			
a) ☐ This sou	rce has previously provided c	confidential information	which has proven to be tru-	e.
	rce participated in and succes			•
	an ane source independently p			
	rce incriminated himself/herse			information.
	ne information provided by the		•	
	xplain)			
9 <u>F</u>				
3) Disclosure of inf	ormation received.			,
During a debriefir "Gladio." Acuna i	ig interview, an EME asso s referenced on a list as a	iciate identified Acur in EME associate. N	ia as an EME associate lo specific gang activity	he knew as is identified
	,			
				:
	(If additional	al space needed, attach an	other sheet.)	
4) Type and currer	nt location of documentation, (	for example: CDC-128	-B of 5-15-86 in the confide	ential material
folder).		•		,
	Memorandum dated Octob	ber 11, 1988 in confi	idential section of C-File	
/				
D-T-8/200	las-			
D. T. Hawkes, Co	prrectional Counselor II		June 2, 2	
	CTARE CICAIATUDE TITUE		DATE DISCL	しるミン

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Document 16-10

Filed 06/23/2008 Page 42 of 90

STATE OF CALIFORNIA CORRECTIONS CDC 128-B-2 (5/95)

DEPARTMENT OF

INMATE'S NAME: Acuna, Arcadio		•	CDC NUM	BER: C4316	55	•
On Feburary 4, 2000, a gang validation package regarding	subject was rece	ived from Institution C	ang Investiga	tor Crandall a	at PBSP.	· · · · · · · · · · · · · · · · · · ·
SUBSEQUENT INFORMATION WAS RECEIVED BY SSU AT CSP-LOS. (UPDATED ITEMS LISTED IN ITALICS).	ON January 12	2, 2004 , FROM GANG	INVESTIGA	TOR Lt. Garc	ilazo	
The following items meet the validation requirements: 00.		L NUMBER OF ITE o dated 12-12-03, Con				
TOTAL NU	MBER OF ITE	EMS WHICH MEET	VALIDATIO	ON REQUIR	EMENTS:	(3)
The following items do not meet the validation requirement	its and were/shall	Il not be used as a basis	s for validatio	n: .		
TOTAL NUMBER O	F ITEMS WHI	CH DO NOT MEET	VALIDATIO	ON REQUIR	EMENTS:	(0)
7	ACTION OF	REVIEWER		,		
Pursuant to the validation requirements established in 15 C	CR Section 337	8, Arcadio Acuna is:				
⊠ v.	ALIDATED	☐ REJECTEI	)			
as a member of the Mexican Mafia prison gang.			,			•
ant			·			1
Wm Luper Special Agent SSU						
DATE: 1-70-04				· ·		
GANG V	ALIDATION/	REJECTION REVIE	w ′			

LEIU/SSU

#### DISTRIBUTION:

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Copy - Institutional Gang Investigator/Region Gang Coordinator

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Copy - Inmate/Parolee

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PAGE 01 CMHQ C43165 ACUNA, ARCADIO, SERRANO \*\*\* MOVEMENT HISTORY - MOST RECENT MOVEMENT FIRST \*\*\* RPT DATE: 11/17/2004 11/17/2004 SHU FROM DVIRC TRANSFERRED TO PSP TO DVIRC FROM RCC 11/16/2004 TRANSFERRED ENROUTE TO PSP TO RCC 11/15/2004 TRANSFERRED FROM CAL ENROUTE TO PSP 03/05/2004 CHANGED UNIT NEW UNIT: ADSEG OLD UNIT: MAIN TO CAL FROM LAC 03/01/2004 TRANSFERRED CUSTODY: CDC/BAK RET SAME DAY 11/04/2003 TO MED FROM LAC TEMP RELEASE DR. LUU, MD./BAKERSFIELD OLD UNIT: ADSEG 08/14/2003 CHANGED UNIT NEW UNIT: IV 08/12/2003 CHANGED UNIT NEW UNIT: ADSEG OLD UNIT: IV 05/28/2002 TRANSFERRED TO LAC · IV FROM CCI4A

Date: 11/21/2005 Time: 1:13:10 PM

Case 3:07-cv-05423-VRW Document 16-10 Filed 06/23/2008 Page 45 of 90

Page: 1 Document Name: un led

PAGE 02 ACUNA, ARCADIO, SERRANO CMHQ C43165 TO CCI4A FROM COR 07/20/2000 TRANSFERRED NEW FINAL DEST: CCI4A 07/19/2000 STATUS CHANGED TO ENRCHG FROM ENROUTE FROM PSP 07/19/2000 TO COR SHU TRANSFERRED ENROUTE TO CCI NEW UNIT: SHU OLD UNIT: INF 08/07/1995 CHANGED UNIT OLD UNIT: SHU 08/05/1995 CHANGED UNIT NEW UNIT: INF CHANGED UNIT NEW UNIT: SHU OLD UNIT: INF 07/26/1995 TO HOSP FROM PSP CUSTODY: CDC/DN RET SAME DAY TEMP RELEASE 07/25/1995 SUTTER COAST HOSP/CRESCENT CITY OLD UNIT: SHU NEW UNIT: INF 07/24/1995 CHANGED UNIT FROM FOL-A SHU 01/19/1991 TRANSFERRED TO PSP FROM FOL-C TO FOL-A ADSEG 11/05/1990 TRANSFERRED P/N PRESS ENTER FOR NEXT PAGE

Date: 11/21/2005 Time: 1:13:14 PM

Case 3:07-cv-05423-VRW Document 16-10 Filed 06/23/2008 Page 46 of 90

Page: 1 Document Name: un led

MHQ C43165		ACUNA, ARCAD	DIO, SERRANO	PAGE 03
10/30/1990	TRANSFERRED	TO FOL-C	FROM FOL-A	
10/26/1990	TRANSFERRED	TO FOL-A	FROM PSP	
07/31/1990	CHANGED UNIT	NEW UNIT: MAIN	OLD UNIT: INF	
07/30/1990	CHANGED UNIT	NEW UNIT: INF	OLD UNIT: MAIN	· .
12/04/1989	TRANSFERRED	TO PSP	FROM FOL-B	
07/19/1989	TRANSFERRED	TO FOL-B	FROM FOL-A	
05/25/1989	TRANSFERRED	TO FOL-A ADSEG	FROM FOL-B	
03/22/1988	TRANSFERRED	TO FOL-B	FROM FOL-A	
03/21/1988	TRANSFERRED	TO FOL-A INFIRMARY	FROM FOL	
03/16/1988	TRANSFERRED	TO FOL MED & RET	FROM FOL-B TEMPORARILY	
P/N PRESS	ENTER FOR NEXT	PAGE		

Date: 11/21/2005 Time: 1:13:16 PM

Case 3:07-cv-05423-VRW Document 16-10 Filed 06/23/2008 Page 47 of 90

PAGE 04 ACUNA, ARCADIO, SERRANO CMHQ C43165 TO FOL-B FROM FOL 05/27/1987 TRANSFERRED FROM NRC 04/24/1987 TRANSFERRED TO FOL LATE ARRIVAL TO NRC 03/11/1987 RETURNED RET FROM PAROLE RET STATUS PWNT F/PROCESS FROM FOL CUSTODY: SO/RIV TO REG4 ONT1 12/05/1983 PAROLED TENT DCH DATE: 12/05/1986 CO: SB 07/07/1983 CHANGED UNIT NEW UNIT: SHU OLD UNIT: MAIN 05/11/1983 STATUS CHANGED TO ENRREM FROM ENROUTE FROM RCC 05/11/1983 TRANSFERRED TO FOL ENROUTE TO CRC 05/10/1983 STATUS CHANGED TO TEMPREM FROM TEMP

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Case 3:07-cv-05423-VRW Document 16-10 Filed 06/23/2008 Page 48 of 90

Page: 1 Document Name: ur. cled

CMHQ C43165		ACUNA, ARCADIO	O, SERRANO	PAGE 05	;
04/07/1983	CHANGED UNIT	NEW UNIT: PALM	OLD UNIT: MAIN		,
04/07/1983	RETURNED	TO RCC RET FROM OTC TFT	ENR TO CRC		
03/10/1983	TEMP RELEASE	TO OTC FROM RCC ARRAIGNMENT	CUSTODY: SO/RIV		
03/03/1983	CHANGED UNIT	NEW UNIT: PALM	OLD UNIT: MAIN		,
03/03/1983	RETURNED	TO RCC RET FROM OTC TFT	ENR TO GRC	· .	•
02/15/1983	TEMP RELEASE	TO OTC FROM RCC ARRAIGNMENT	CUSTODY: SO/RIV		
02/07/1983	TRANSFERRED	TO RCC PALM H/C	FROM CRC TEMPORARILY		,

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Page: 1 Document Name: un cled

CMHQ C43165		ACUNA, ARCADI	O, SERRANO		PAGE 06
02/07/1983	TEMP RELEASE	TO OTC FROM CRC PRELIM	CUSTODY:	SO/RIV RET	SAME DAY
02/07/1983	TRANSFERRED	TO CRC	FROM RCC		
01/26/1983	CHANGED UNIT	NEW UNIT: PALM	OLD UNIT:	MAIN	
01/26/1983	TRANSFERRED	TO RCC	FROM CRC	TEMPORARILY	
01/26/1983	TEMP RELEASE	TO OTC FROM CRC ARRAIGN	CUSTODY:	SO/RIV RET	SAME DAY
01/26/1983	TRANSFERRED	. TO CRC	FROM RCC		
01/17/1983	CHANGED UNIT	NEW UNIT: PALM	OLD UNIT:	MAIN	
11/12/1982	TRANSFERRED	TO RCC	FROM CRC	TEMPORARILY	

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Date: 11/21/2005 Time: 1:13:22 PM

Page: 1 Document Name: un cled

CMHQ C43165 ACUNA, ARCADIO, SERRANO PAGE 07

06/12/1982 RETURNED TO CRC
RET FROM HOSP

06/11/1982 TEMP RELEASE TO HOSP FROM CRC CUSTODY: RGH

03/12/1982 TRANSFERRED TO CRC FROM RCC

02/25/1982 ADMITTED TO RCC FROM SC/SBD AS A DSL CII NA

B95994

P/01 NO ADDITIONAL PAGE FOLLOWS

Date: 11/21/2005 Time: 1:13:25 PM

DEPARTMENT OF CORRECTIONS

STATE OF CALIFORNIA ADMINISTRATIVE SEGREGATION UNFOR LACEMENT NOTICE CDC 114-D (Rev 10/98)

DISTRIBUTION: WHITE - CENTRAL PILE BLUE - INMATE (2ND COPY) GREEN - ASU

CANARY - WARDEN PINK - HEALTH CARE MGR GOLDENROD - INMATE (18T COPY)

INMATE'S NAME	CDC NUMBER
ACUNA, Arcardio	C-43165
	PLACEMENT (PART A)
XX PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR C	THERS
JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SE	FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION
MENDANGINE PROTECTION	
DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) I	OR PLACEMENT Friday, March 05, 2004, the Institutional coimile copy of a OCC 1288-2, Gang Validation Orrono, from
the Special Services Unit (SSI), identifying von Truste A	rcandio Acuna. C-43165. B5-209L. as a validated member of
the Mexican Mafia prison cano. Due to vour current gang s	tatus as an active member of the Mexican Matia, your
continued presence on a general population facility (B Faci	ility) has been deemed a threat to the safety and security
of the institution. You are being re-housed in Administra	ie to your Ad-Seg placement, your custody level, privilege
group, credit earning and visiting status are subject to d	range. Invate AUNA is not a participant in the Mental.
Health Services Delivery System (MRDS) and Disability Pla	cament Program (DDP).
CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)	
DATE OF ASU PLACEMENT SEGREGATION AUTHORITY'S PRINTED NAME 03-05-04 R. ANTI	LIEUTENANT
DATE NOTICE SERVED TIME SERVED PRINTED NAME OF STAFF SERVING ASU	PLACEMENT NOTICE SIGNATURE STAFF'S TITLE
3.5.04 1505 J. O. WIENVE	CDC MOMBER
x  /  x	S Oliver 16-73/65
ADMINISTRAT	VE REVIEW (PART B) eniew by Captain or higher by the first working day following placement
STAFF ASSISTANT (SA)	INVESTIGATIVE EMPLOYEE (IE)
STAFF ASSISTANT NAME TITLE	INVESTIGATIVE EMPLOYEE'S NAME TITLE
IS THIS INMATE:	A PA
	NO EVIDENCE COLLECTION BY IE UNNECESSARY YES DIO
FLUENT IN ENGLISH?	NO DECLINED ANY INVESTIGATIVE EMPLOYEE THOU
	NO DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED YES
DECLINING FIRST STAFF ASSISTANT ASSIGNED?	Any NO may reduit IE assignment
Any "NO" requires SA assignment	NOT ASSIGNED
	TE WAIVERS
INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE R	EVIEWER NAMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
NO WITNESSES REQUESTED BY INMATE INMATE RIGHAT	DATE SIN
WITNESSES REQ	UESTED FOR HEARING
WITNESS NAME TITLE/CDC NUMBER	WITNESS NAME TITLE/CDC NUMBER
UITMESS NAME TITLE/CDC NUMBER	WITNESS* NAME TITLE/CDC NUMBER
. WITNESS NAME A	THAT I WANTED TO THE PARTY OF T
DECISION: RELEASE TO UNIT/FACILITY	TAIN PENDING ICC REVIEW DOUBLE CELL SINGLE CELL PENDING ICC
REASON FOR DECISION: REAL AS DEND. 100	Levren.
Simile cell pend 100 rem	Port
- The state of the	
ADMINISTRATIVE REVIEWERS PRINTED NAME TITLE	DATE OF REVIEW TIME ADMINISTRATIVE REVIEWER'S SIGNATURE
I Rulteman Cant	38-04 1410 Mail 7
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)	CORRECTIONAL ADMINISTRATOR'S CO.SIGNATURE (if necessary)  DATE OF REVIEW

CDC NO #: @3963:07-cv-05423NVRW. A DORUMENT 16-10 PS: 59 LEVEL: IV **D**: 08/05/2012

JDY: MAX

WG/PG: D1/D EFF. 03/05/2004 **NEXT CLASSIFICATION: 10/2004** 

INITIAL/MAINLINE REVIEW: RETAIN AD SEG PENDING TX TO PBSP-SHU INDETERMINATE VIA ACTION: CCI-SHU. REFER TO CSR RX TX PBSP-SHU VIA CCI-SHU. ESTABLISH MAX CUSTODY AND WG/PG D1/D EFFECTIVE 03/05/2004. ASSIGN YARD GROUP NO. 7, CONTROLLED COMPATIBLE (WHITES/SO. HISPANICS/OTHERS). PLACE ON NON-CONTACT VISITING STATUS EFFECTIVE 03/05/2004. NO MHSDS, MDO, DPP OR DDP CONCERNS NOTED. DOUBLE CELL HOUSING APPROVED. RESCHEDULE ICC 06/03/2004.

Inmate Acuna was screened in person in ICC today for Initial/Mainline Review. Inmate was placed in Ad/Seg on 03/05/2004 for being validated as a Mexican Mafia Prison Gang member per CDC 128B2 dated 01/20/2004. The 114-D Interview was conducted on 03/08/2004 by J. Builteman, FC. The 114-D Hearing was conducted on 03/11/2004 by ICC. Staff Assistant was not assigned. Investigative Employee was not assigned. The issues are not complex nor is the Inmate illiterate. Review of the 114-D within time limitations has been met and no witnesses were requested. Committee finds that segregated housing is appropriate and elects to retain Inmate in Ad/Seg pending transfer to PBSP-SHU Indeterminate via CCI-SHU. No enemies in Ad Seg are noted. Committee refers the case to the CSR recommending transfer to PBSP-SHU via CCI-SHU. Inmate is assigned to Yard Group No. 7, Controlled Compatible (Whites/So. Hispanics/Others). A review of the central file does not indicate a pervasive pattern of in-cell assaults or predatory behavior, therefore, inmate is approved for double cell housing. CDC 1882 is located in the Central File. Confidential information was not considered. Inmate assigned to Ad/Seg earning status WG/PG D1/D effective 03/05/2004, custody changed to MAX. Inmate was placed on non-contact visiting status effective 03/05/2004. Committee notes inmate was received in CDC on 03/11/1987 with a term of 3 Life Terms plus 8 Years and will be eligible for custody review on 08/05/2005. Committee notes this hearing also serves as inmate's Mainline Initial Review. Case factors are as follows: Inmate Acuna is a 50 year old, Hispanic, 4th termer, committed from Santa Clara County for the offenses of Kidnapping and Robbery. He was received at CAL on 03/01/2004 from LAC. His GPL is 12.5. Confidential file is noted. Inmate is medically lateral parts and Duty. TB Alert Code is 22 per 128-C dated 04/28/2003. Inmate does not meet criteria for inclusion in the MHSDS. CDC 812 indicates enemy situation and gang/disruptive group affiliation. Disciplinary history includes Possession Alcohol, Unauthorized Talking, Resisting Staff, Assault on Inmate, Failure to Report, Possession of Controlled Substance and Force and Violence. There is no history of Arson, Kidnapping or Sex related offenses noted. History of Escape is noted for a 1978 Escape from CA Rehabilitation Center. There are no Holds or Detainers noted. Inmate is not a foreign born national. Inmate is not eligible for MSF, CCRC, MCCF, CCF, Camp or Restitution Center due to Life sentence. Inmate does not meet MDO criteria. CDC 840, 812, 127 and Minimum Screening forms have been updated. Inmate's BPT Initial Parole Consideration Hearing is scheduled for 07/2011 and his next Annual Review is scheduled for 10/2004. Inmate does not meet the criteria for inclusion in the MHSDS, MDO, or DPP and Mental Health Staff present during committee is in agreement with this status. Inmate was advised he would be seen by ICC on 06/03/2004. Inmate Acuna was informed of committee's actions and was advised of his right to appeal. Inmate had no questions or comments to address to committee. There are no other case factors or concerns noted. (acf)

RECORDER

Committee Members: G. Janda, AW; S. Leapheart, FC; G. Chavarria, CCII; D. Middleton, Ph.D.

Counselor, Inmate

Date: 03/11/2004

CLASSIFICATION: ICC AD/SEG

INST: CAL-IV

Page 56 of 90 Case 3:07-cv-05423-VRW Document 16-10 Filed 06/23/2008

**CDC NO #:** C43165 DE: ACUNA **ING:** A5-237

PS: 59 LEVEL: IV MEPD: 08/05/2012 CUSTODY: MAX-B

**WG/PG:** D1/D EFF. 03/05/2004 **NEXT CLASSIFICATION: 10/2004** 

EXCEPTIONAL REVIEW: RETAIN AD SEG PENDING TX. REFER TO CSR RX TX PBSP-SHU FOR ACTION: INDETERMINATE SHU. REAFFIRM MAX CUSTODY AND WG/PG D1/D EFFECTIVE 03/05/2004. RETAIN YARD GROUP NO. 7, CONTROLLED COMPATIBLE (WHITES/SO. HISPANICS/OTHERS) AND NON-CONTACT VISITING STATUS EFFECTIVE 03/05/2004. NO MHSDS, MDO, DPP OR DDP CONCERNS NOTED. DOUBLE CELL HOUSING APPROVED. RESCHEDULE ICC 07/22/2004.

Inmate Acuna appeared before ICC this date for an Exceptional Review. He was initially placed in Ad/Seg on 03/05/2004 as a result of being validated as a Mexican Mafia Prison Gang member per CDC 128-B2 dated 01/20/2004. Committee notes Inmate Acuna was seen by ICC on 03/11/2004 and was referred to the CSR recommending Indeterminate SHU placement to PBSP-SHU via CCI-SHU. On 04/06/2004, the case was reviewed and was deferred by the CSR stating the CDC 128-B2 dated 01/20/2004 was not available for review. In addition, IGI must update the CDC 812-A to reflect current gang status. It is noted that all deferral issues of 04/06/2004 have been addressed. The CDC 128-B2 dated 01/20/2004 has been placed in the General Chrono Section of the Central File. The CDC 812-A has been updated and placed in the Classification Section of the Central File. All other documents that had validated Inmate Acuna are labeled and are in the Confidential Section of the Central File. Committee elects to retain inmate in Ad Seg pending transfer and refers the case to the CSR recommending transfer to PBSP-SHU for Indeterminate SHU placement. Committee reaffirms MAX custody and WG/PG D1/D effective 03/05/2004. Inmate is retained in Yard Group No. 7, Controlled Compatible (Whites/So. Hispanics/Others) and non-contact visiting status effective 03/05/2004. A review of the central file does not indicate a pervasive pattern of in-cell assaults or predatory behavior. therefore, inmate is approved for double cell housing. Inmate does not meet the criteria for inclusion in the MHSDS, MDO, or DPP and Mental Health Staff present during committee is in agreement with this status. Inmate's GPL is 12.5. Inmate was received in CDC on 03/11/1987 and was endorsed to CAL on 02/19/2004 and will be eligible for custody review on 08/05/2005. Committee notes that pertinent case factors remain the same as noted on CDC 128G Chrono dated 03/11/2004. Inmate's next BPT Hearing is scheduled for 07/2011 and his next Annual Review is scheduled for 10/2004. Inmate was advised he would be seen by ICC on  $0\sqrt{22/2004}$ . Inmate Acuna was informed of committee's actions and was advised of his right to appeal. Inmate had no questions or comments to address to committee. There are no other case factors or concerns noted. (acf)

T. Ochoa, CDW(A)

CHAIRPERSON

RECORDER

Committee Members: M. Bourland, AW; S. Leapheart, FC; J. Jackson, CCII; D. Middleton, Ph.D.

Counselor, Inmate

Date: 04/22/2004

**CLASSIFICATION: ICC AD/SEG** 

**INST:** CAL-IV

**CDC 128-G** 

Case 3:07-cv-05423-VRW

Document 16-10

Filed 06/23/2008

Page 57 of 90

CDC NO #: C43165

IE: ACUNA

**DING:** A5-237

CDC 128-G

PS: 59 LEVEL: IV

**WG/PG:** D1/D EFF. 03/05/2004

MacPD: 08/05/2012 **NEXT CLASSIFICATION: 10/2004** 

CLG CODY: MAX

90 DAY REVIEW: RETAIN AD SEG PENDING TX TO PBSP-SHU. REAFFIRM MAX CUSTODY AND WG/PG D1/D EFFECTIVE 03/05/2004. RETAIN YARD GROUP NO. 7, CONTROLLED COMPATIBLE (WHITES, SO. HISPANICS, OTHERS). NO MHSDS, MDO, DDP OR DPP CONCERNS NOTED. DOUBLE CELL HOUSING APPROVED. RESCHEDULE ICC 10/07/2004.

Inmate Acuna appeared before ICC this date for a 90 Day Review. He was initially placed in Ad/Seg on 03/05/2004 as a result of being validated as a Mexican Mafia Prison Gang member, refer to CDC 128B-2 dated 01/20/2004. On 03/11/2004, ICC referred the case to the CSR recommending Indeterminate SHU placement to PBSP-SHU via CCI-SHU. ON 04/06/2004, the CSR deferred the case noting the CDC 128B-2 was not in the Central File and the 812-A needed to be updated. On 04/22/2004, ICC noted the CSR deferral issues had been corrected and referred the case for transfer to PBSP-SHU for Indeterminate SHU placement. On 06/01/2004, the CSR endorsed inmate to PBSP-SHU with transfer approval expiring 09/29/2004. Committee elects to retain inmate in Ad Seg pending transfer to PBSP-SHU and reaffirms MAX custody and WG/PG D1/D effective 03/05/2004. Inmate is retained on Yard Group No. 7, Controlled Compatible (Whites, So. Hispanics, Others). A review of the central file does not indicate a pervasive pattern of in-cell assaults or predatory behavior, therefore, inmate is approved for double cell housing. Inmate does not meet the criteria for inclusion in the MHSDS, MDO, or DPP per CDC 128G Chrono dated 04/22/2004 and Mental Health Staff present during committee is in agreement with this status. Madrid Chrono dated 04/22/2004 is in the Central File. Inmate's GPL is 12.5. Inmate was received in CDC on 03/11/1987 and was endorsed to PBSP-SHU on 06/01/2004 with a total term of Life (X3) plus 8 Months. Inmate's BPT Initial Parole Consideration Hearing is scheduled for 07/2011 and his next Annual Review is scheduled for 10/2004. Committee notes the 180°/270° design housing placement criteria has been reviewed. Inmate qualifies for 180° design housing placement due to inmate being a validated prison gang member. Inmate was advised he would be seen by ICC on 10/07/2004. Inmate Acuna was informed of committee's actions and was advised of his right to appeal. Inmate had no questions or comments to address to committee. There are no other case factors or sonceras noted. (acf)

M. Bourland, CDW(A)

CHAIRPERSON

**NBIS** 

Committee Members: G. Janda, AW; J. Criman, CCI; D. Middleton, Ph.D.

cc:

Counselor, Inmate

Date: 07/15/2004

CLASSIFICATION: ICC AD/SEG

INST: CAL-IV

Case 3:07-cv-05423-VRW Document 16-10 Filed 06/23/2008 Page 58 of 90 CDC NO #: C43165 NG: A5-227 CDC 128-

PS: 55 LEVEL: IV M. O: 08/05/2012 CL\_-ODY: MAX

WG/PG: D1/D EFF. 03/05/2004 NEXT CLASSIFICATION: 10/2005

ACTION: EXCEPTIONAL/ANNUAL REVIEW: REVIEW PERIOD 10/01/2003 THROUGH 09/30/2004 / REDUCE PLACEMENT SCORE TO 55 / RETAIN AD SEG PENDING TRANSFER TO PBSP-SHU / RETAIN MAX CUSTODY AND WG/PG D1/D EFFECTIVE 03/05/2004 / REAFFIRM YARD GROUP #7, CONTROLLED COMPATIBLE (WHITE /SOUTHERN HISPANIC /OTHER) AND REAFFIRM DOUBLE CELL HOUSING / RESCHEDULE ICC ON 12/30/2004 / NO MHSDS, MDO, DDP OR DPP ISSUES NOTED.

Inmate Acuna appeared before ICC this date for an Exceptional/Annual Review. He was initially placed in Ad/Seg on 03/05/2004 as a result of being validated as a Mexican Mafia prison gang member, refer to CDC 128B2 dated 01/20/2004. On 04/22/2004, ICC noted that prior CSR deferral issues had been corrected and referred the case back to CSR for placement at PBSP-SHU for Indeterminate SHU. On 06/01/2004, the CSR endorsed Inmate to PBSP-SHU with transfer approval expiring on 09/29/2004. On 07/15/2004, ICC elected to retain Ad Seg pending transfer to PBSP-SHU, retain MAX custody, WG/PG D1/D effective 03/05/2004 and retain on Yard Group #7. On 09/08/2004, the CSR approved an extension which expires on 01/06/2005. Today's committee elects to retain Ad Seg pending transfer to PBSP-SHU, retain MAX custody and WG/PG D1/D effective 03/05/2004. Reaffirm Yard Group #7, controlled compatible (White /Southern Hispanic /Other). A review of the central file does not indicate a pervasive pattern of in-cell assaults or predatory behavior, therefore, inmate is approved for double cell housing. Inmate does not meet the criteria for inclusion in the MHSDS, MDO, DDP or DPP per CDC 128C Chrono dated 04/22/2004 and Mental Health Staff present during committee is in agreement with this status. This hearing also serves as Inmate's Annual Review for the period of 10/01/2003 through 09/30/2004. Placement score has been reduced from 59 to 55. Inmate's GPL is 12.5. Inmate was received in CDC on 03/11/1987 and was endorsed to PBSP-SHU on 09/08/2004 with a total term of Life (x3) plus 8 months. Inmate's BPT Initial is scheduled for 07/2011. Inmate meets 180 design placement due to being a validated prison gang member. Inmate was advised he would be seen by ICC on 12/30/2004. Inmate Acuna was informed of committee's actions and was auvison committee. There are no other case factors or concerns notical (lh) informed of committee's actions and was advised of his right to appeal. Inmate had no questions or comments to address to

T. Ochoa, CDW(A)

CHAIRPÉRSON

C.J. Caffarella, Asst. C&PR

RECORDER

Committee Members: G. Janda, AW; M. Tapia, FC (A); J. Jackson, CCI; D. Middleton, Ph.D.

cc: Counselor, Inmate

Date: 10/07/2004

**CLASSIFICATION: ICC AD/SEG** 

INST: CAL-IV

# EXHIBIT K

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DEC'D CALIAPPEALS

MAR 1 \$ 2004.

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Type of gang activity, but as disclosed to me by capt. Milina, CSP/LAC, it documents that a mentally unstable black remark took himself eff the yard because he said he had verbally irrespected the in the law library where I worked as a clerk and ceit of threatened by other black grisoners because of this. hereby declare that at no time did I threatens this inmak or sure" Hack prisoners to harm him in any way. A verbal exchange. occur to the prescence of Numerous black prisoners, but I simply. away from the situation and gare it No further thought. Further a review of my cifile shows that all during the almost four years I was preleased from PBSP-Indetermente JHH , except for one CDL-115 received for possession of pravo, I have been a model of good. omportment have performed above average at each it my cassigned phs and parned certificales landatory pob personnance reports comletel an Avger Menegement/ Substance Abuse pett-help program, and racted positively with prisoners jub isupervisors housing and body stuff. It is a grave injutice to now label me a programming and by this actions over

REC'D CAL APPEALS

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AT DIF CALLEGINA MILITERATION UNIT PLACEMENT NOTICE 3C 114-B (Rev 10/98)

DEPARTMENT OF CORRECTIONS

DISTRIBUTION: WHITE - CENTRAL FILE ELUE - INMATE (2ND COPY) GREEN - ASU

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14:18 MAR-05-2004

REC'D CAL APPEALS STATE OF CALIFORNIA MAR 1 5 2004

COMMECTION		- V	2-UU-T	
CDC 128-8-2 (5/95)	• *			

CDC NUMBER: C43165 INMATE'S NAME: Acuna, Arcadio

On February 4, 2000, a gang validation package regarding subject was received from Institution Geng Investigator Crandall at PHSP.

SUBSEQUENT INFORMATION WAS RECEIVED BY SSU ON January 12, 2004 . FROM GANG INVESTIGATOR Lt. Gareilazo AT CSP-LOS. (UPDATED ITEMS LISTED IN ITALICS).

The following items meet the validation requirements:

TOTAL NUMBER OF ITEMS SUBMITTED FOR REVIEW: (3) Conf Mamo dated 12-12-03, Conf Memo dated 9-33-03 and Conf 128B dated 9-11-

TOTAL NUMBER OF ITEMS WHICH MEET VALIDATION REQUIREMENTS: (3)

The following items do not meet the validation requirements and were shall not be used as a basis for validation:

TOTAL NUMBER OF ITEMS WHICH DO NOT MEET VALIDATION REQUIREMENTS: (6)

#### **ACTION OF REVIEWER**

Pursuant to the validation requirements established in 15 CCR Section 3378, Arcadio Acuna is:

✓ VALIDATED

T REJECTED

as a member of the Mexican Matta prison gang.

Wm Luper Special Agent SSU

DATE

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GANG VALIDATION/REJECTION REVIEW GENERAL CHRONO LEXU/SSU

DISTRIBUTION:

Original - Central File

Copy - Classification & Parole Representative/Parole Administrator I

Copy - Institutional Gang Investigator/Region Gang Coordinator

Copy - Law Enforcement Liaison Unit

Copy - Inmate/Parnice

# AL-A- 04-545

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FANeNCO6228/25082501 Page 66 of 90 P. 15/29

A ACHMENTO 545

Department of Corrections

sate of California

Vemorandum

Date

July 1, 2004

To

Stuart Ryan Warden (A)

Calipatria State Prison

Subject:

INMATE ACUNA C-43165 APPEAL

Inmate Acuna, C-43165 A5-237, is appealing his gang validation package submitted by CSP-Los Angeles CO. (LAC). Acuna was transferred to Calipatria State Prison (CAL) from LAC on March 1, 2004. CAL was advised by LAC that they had submitted the validation package on Acuna. On March 5, 2004 the validation on Acuna was received at CAL. Acuna was housed in Administrative Segregation pending transfer.

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Correctional Sergeant Roe served three CDC 1030 prepared by Institutional Gang Investigator (IGI) at LAC. LAC has all the documents that they submitted for the validation on Acuna.

In the past when CAL has submitted validation packages and there have been appeals on the validation package, the appeal has been sent to CAL for the IGI to answer. This is what happened with Inmate Staska when he was transferred to Centinela State Prison (CEN). Sergeant Roe went to CEN, interviewed and answered Inmate Staska's appeals. This has also transpired when another inmate was transferred to CA Correctional Institution, Tehachapi (CCI).

Recommend that these three appeals be forwarded to IGI at LAC for them to answer. IGI at CAL will assist them with what ever they need to answer the appeals.

Correctional Lieutenant Chief Investigator

Calipatria State Prison

FANeNO06928/2668501 Page 67 of 90 P. 05/29

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# REC'D CAL APPEALS APR 28 2004

ASTACHMENT 04 724

04 545

CDC-602(cont'd) indicated I was involved in criminal gang activities. I vehemently derry this allegations, and assert that the information contained in the confidential memoral dum duted . 12/12/03 is Salse, and is completely contradicted by the other documentation in my C. File showing that since my release from indeterminate SHU in May 2000, I have conformed to behavior expectations, have performed arrigned duties with diligence earning high marks of approval from supervisors, and do not doubt that it interviewed these supervisors would attest to the fact they saw no indicature I was involved in gory activi-Ther, During the almost four years that I remained in the general population of CCI, Fac. A and CSP) in fact I goveress fully completed a self-help anger management (substance abuse course under the direction of DR, E, Es Kandari, PH.D., and he was requested I be come a mentor for his self-lelp group. All of the above thus clearly shows ... that I was not and am not woolved in. any type of prisos going activity.

APR 2 8 2004

STATE OF CALIFORNIA CDC 1030 (12/86) ATTACHMENT TO: 04 545

CONFIDENTIAL INFORMATION DISCLOSURE FORM

	CONFIDENTIAL INFORMATION
INA	NATE NUMBER: C 43/65 INMATE NAME: ACULA
	Use of Confidential Information.
. <b>()</b>	·
	Information received from a confidential source(s) has been considered in the:  submitted by
	a) CDC-115, Disciplinary Report dated submitted by
	STAFF NAME, TITLE
	b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated
2)	Reliability of Source.
	The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.
	This information is considered reliable because:
or a section	ூர்) அள்ள source has previously provided confidential information which has proven to be true.
;	b) 🔲 This source participated in and successfully completed a Polygraph examination.
e R	o) O More than one source independently provided the same information.
	d) $\square$ This source incriminated himself/herself in a criminal activity at the time of providing the information.
	e) ৷ Part of the information provided by the source(s) has already proven to be true.
	f) Other (EXPLAIN)
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INMATE/PAROLEAPR 277   Seation: Institution/Parole Region Log No.	ATTACHMENT_
APPEAL FORM	TO: 04 545
You may appeal any policy, action or decision which has a significant adverse affect upon you. With the excellent may appeal any policy, action or decision which has a significant adverse affect upon you. With the excellent through the actions, and classification and staff representative decisions, you must first informally seek relief through the member, who will sign your form and state what action was taken. If you are not then satisfied, you may support that more than one additional page of comments to the Appeals Coordinator within 15 days of the for using the appeals procedure responsibly.	Junia popul with all the SUNDORING
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# REC'D CAL APPEALS ATTACHMENT APR 2 7 2004

## 04724

information was not disclosed to me at the time it was provided so that I could challenge its veracity, (2) that it was relied as in the validation process without allowing me an opportunity to disjute it, (3) that its reliability was not established in conformance to CCR, Title 15, sec 3321(d)(1)-(4), and (4) that the source providing the late information did so simply in order to gain for himself preferential treatment in the way of classification, custody, or placement considerations. Fixally, I behavestly deny, that I have been involved in any type of criminal and for prison gong activities, and subjuit that a review. of my C-File insdicates everything contrary to this accusation; showing that since my release from indeterminate 544 in May 2000, I programmet without commetting major rule infractions. That I received commendatory work performance rejorts from ell my supervisors, that I earned numerous arthurates of Vocational achievement, and that I also successbully completel a self-help course is substence abuse) lewger menagement.

FAXe 10682501 Page 74 of 90 P. 20/29

STATE OF CALIFORNIA CDC 1030 (12/86)

# REC'D CAL APPEALS APR 2 7 2004

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DEPARTMENT-OR CORRECTIONS
ATTACHMENT

TO: NA FA

INM	ATE NUMBER: C43165 INMATE NAME: ACUAR
1)	Use of Confidential Information.
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	a) CDC-115, Disciplinary Report dated submitted by
	STAFF NAME, TITLE
	b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated
2)	Reliability of Source.
	The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.
	This information is considered reliable because:
	a) This source has previously provided confidential information which has proven to be true.
ч	b) This source participated in and successfully completed a Polygraph examination.
	c)  More than one source independently provided the same information.  d)  This source incriminated himself/herself in a criminal activity at the time of providing the information.
•	e) Part of the information provided by the source(s) has already proven to be true.
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Finite NO06929/2502501 Page 75 of 90 P. 09/29

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## ATTACHMENT )

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#### REC'D CAL APPEALS APR 26 2004

ATTACHMENT TO: 04\_545

CDC-602(cont'd) alleged gang members since my release from indeterminate 5HU IN May 2000, and disjute the truthfulners of the rource providing this late information, submitting that if as the 1070 form indicates this prisoner was himself involved in criminal activities he lied in order to gain for himself preferential treatment in the way of classification, custody or placement considevaluous. Move over, I assert that the mandates of CCR, Title 15, sec. 3272(d)(2) were not adhered to in establishing the reliability of the information grounded, and on this busis subnit that the document should not have been relied on in any decision affecting my classificinfrom and as body status. Furthermore, there are serious due process violation concerns here arising from the fact that when this Calse accuratur was made I was not provided a CDL-1030 form so that at that time I doubt have challenged it and mounted a viable defense to prove the informations was false, To wait 31/2 years to disclose the information after! the validation package had been subinstitud la Sucramento gave me no opportunity la desend my self to the individual's making what clearly is a lite-altering decision.

STATE OF CALIFORNIA CDC 1030 (12/86)

11.00

## REC'D CAL APPEALS APR 2 6 2004

AFRAGEIMENTRECTIONS
TO: 04 5 45

		CONFIDENTIAL INFORMATION DISSESSED 1
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		a) CDC-115, Disciplinary Report datedsubmitted by
		STAFF NAME, TITLE
		STAFF NAME, TITLE
		b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated
	2)	Reliability of Source.  The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.
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Department of Corrections

\* te of California

## **Wemorandum**

Date

July 1, 2004

To

Stuart Ryan Warden (A)

Calipatria State Prison

\* \* pobject:

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INMATE ACUNA C-43165 APPEAL

Inmate Acuna, C-43165 A5-237, is appealing his gang validation package submitted by CSP-Los Angeles CO. (LAC). Acuna was transferred to Calipatria State Prison (CAL) from LAC on March 1, 2004. CAL was advised by LAC that they had submitted the validation package on Acuna. On March 5, 2004 the validation on Acuna was received at CAL. Acuna was housed in Administrative Segregation pending transfer.

Correctional Sergeant Roe served three CDC 1030 prepared by Institutional Gang Investigator (IGI) at LAC. LAC has all the documents that they submitted for the validation on Acuna.

In the past when CAL has submitted validation packages and there have been appeals on the validation package, the appeal has been sent to CAL for the IGI to answer. This is what happened with Inmate Staska when he was transferred to Centinela State Prison (CEN). Sergeant Roe went to CEN, interviewed and answered This has also transpired when another inmate was Inmate Staska's appeals. transferred to CA Correctional Institution, Tehachapi (CCI).

Recommend that these three appeals be forwarded to IGI at LAC for them to answer. IGI at CAL will assist them with what ever they need to answer the appeals.

Correctional Lieutenant

Calipatria State Prison

Chief Investigator

Recommand this appeal also be sent.

Recommand this appeal also be sent.

To the other one—

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STATE OF CALIFORNIA-YOUTH AND ADULT CORRE. ONAL AGENCY

#### DEPARTMENT OF CORRECTIONS Inmate Appeals Branch P.O. Box 942883 Sacramento, CA 94283-0001

May 24, 2005

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California State Prison, Los 44750 - 60th Street West Lancaster, CA 93536-7620

RE: ACUNA, CDC Info & Records

To the Appeals Coordinator:

A response is needed at the ne

Please have the Second Level documents to this office by Jun

GRANNIS, Chief Inmate Appeals Branch

Arcadio Acuna # C-47165 PASP- SHU [FD3-112 1.0. Box 7500 Crescent City, (A 49132 Dec. 29,200

Re "CPC-602 Appeal log # CAL 04-545 /LAC 04-02386

Dear N. Grannis,

I am resubmilling the attached appeal for Director's Level Review, and in response to your letter dated 12/20/04 prequesting attachment of Second Level Response would advise you that I was never provided with such a regyone. This is use of the issues I am undressing in my Director's Level Review as well as the Gest that hat no lime during the 10 months this cook has been fooding was I ever interviewed to the (4) separate 602; I submitted on my validation.

I contected my counsclor here, CCI E. De Rushi asking that she book into the matter, and as indicated by her written response she was not able to locate any indication is my tile that a written response

was ever produced.

I hope then that as part of your review you will laddress there issues and determine the extent to which I was devied due process.

Sincerely

L'Acadio, kuna

# CALIFORNIA DEPARTMENT OF CORRECTIONS CALIFORNIA STATE PRISON-LOS ANGELES COUNTY

## SUPPLEMENTAL PAGE

RE:

Appeal Log #LAC-X-04-02386

Second Level Response Inmate ACUNA, C43165

APPEAL DECISION: DENIED.

APPEAL ISSUE: PRISON GANG VALIDATION.

You state in your appeal that you want your validation as an associate of the Mexican Mafia Prison Gang rescinded and to be placed back on a General Population Yard.

## ACTION REQUESTED:

You requested that your status as a Validated Associate of the Mexican Mafia Prison Gang be rescinded and all confidential information utilized against you be removed from your Central-File.

#### APPEAL RESPONSE

On January 12, 2004, a prison gang validation package was submitted to LEIU/SSU, by CSP-Los Angeles County Institutional Gang Investigator J. Garcilazo to re-validate you as an associate of the Mexican Mafia Prison Gang. While at CSP-LAC you were in the General Population due to being released from Pelican Bay State Prison Security Housing Unit as an In-Active Mexican Mafia Associate. On January 20, 2004 you were re-validated as an associate of the Mexican Mafia Prison Gang pursuant to the validation requirements established in Title 15 CCR Section 3378. Your case will be considered for review in six (6) years for In-Active status, if you have remained gang activity free in that time.

M. Hanter

Chief Deputy Warden (A)
CSP-Los Angeles County

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION
INMATE APPEALS BRANCH
P. O. BOX 942883
SACRAMENTO, CA 94283-0001

DIRECTOR'S LEVEL APPEAL DECISION

Date:

SEP 2 3 2005

In re:

Acuna, C-43165
Pelican Bay State Prison
P.O. Box 7000
Crescent City, CA 95531-7000

IAB Case No.: 0500285

Local Log No.: CAL 04-545

This matter was reviewed on behalf of the Director of the California Department of Corrections and Rehabilitation (CDCR) by Appeals Examiner S. Ortiz, Facility Captain. All submitted documentation and supporting arguments of the parties have been considered.

- I APPELLANT'S ARGUMENT: It is the appellant's position that he was placed in the California State Prison, Los Angeles County (LAC) Administrative Segregation Unit based on allegations that he was a validated gang member of a prison gang. The appellant contends that this was action was a direct violation of his due process rights. The appellant requests that his validation as a gang member be rescinded and that he be returned to the general immate population.
- II SECOND LEVEL'S DECISION: The reviewer found that on January 12, 2004, a gang validation package was submitted to the Law Enforcement Investigation Unit by the LAC Institution Gang Investigator, to revalidate the appellant as an associate of the Mexican Mafia (EME) prison gang. While at LAC the appellant was in the general immate population (GP) due to being released from Pelican Bay State Prison (PBSP) Security Housing Unit as an in-active "EME" associate. On January 20, 2004, the appellant was re-validated as an associate of the "EME" prison gang pursuant to the validation requirements established by the California Code of Regulations, Title 15, (CCR). The appellant's case will be considered for review in six years for in-active status, if he remains gang activity free for that time frame. The reviewer learned the one CDC Form 1030 Confidential Information Disclosure notice was provided to the appellant and the information was deemed reliable in accordance with the CCR 3321. Therefore, the Second Level of Review denied the appeal.

#### III DIRECTOR'S LEVEL DECISION: Appeal is denied.

A. FINDINGS: There was sufficient evidence to warrant the appellant's re-validation as an "EME" gang associate. The appellant provided no evidence to the committee members contesting his validation. The appellant was provided with copies of the materials used to re-validate him. Additionally, the LEIU provided a CDC Form 128-B2, Validation Chrono, dated January 20, 2004, which identified three items which supported the validation of the appellant as a member of the EME. The appellant has not provided sufficient evidence to overturn or rescind his validation as an associate of the "EME." The appeal was denied at the Director's Level of Review.

#### B. BASIS FOR THE DECISION:

CCR: 3001, 3335, 3338, 3339, 3370, 3375, 3378

C. ORDER: No changes or modifications are required by the institution.

ACUNA, C-43165 CASE NO. 0500285 PAGE 2

This decision exhausts the administrative remedy available to the appellant within CDCR.

N. GRANNIS, Chief Inmate Appeals Branch

cc:

Warden, PBSP

Appeals Coordinator, PBSP Appeals Coordinator, CAL

**EXHIBIT** L

**DEPARTMENT OF CORRECTIONS** 

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INN	MATE NUMBER: C 43/65 INMATE NAME: ACUNA
1)	Use of Confidential Information.
	Information received from a confidential source(s) has been considered in the:
	a) CDC-115, Disciplinary Report dated submitted by
	STAFF NAME, TITLE
	b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated :
2)	Reliability of Source.
	The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.  This information is considered reliable because:
	a) This source has previously provided confidential information which has proven to be true.
	b) This source participated in and successfully completed a Polygraph examination.
	c)  More than one source independently provided the same information.  d)  This source incriminated himself/herself in a criminal activity at the time of providing the information.
	e) Part of the information provided by the source(s) has already proven to be true.  f) Other (EXPLAIN)
]. 3)	Disclosure of information received.
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4)	Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). In the confidential material folder). In the confidential material folder).
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STATE OF CALIFORNIA CDC 1030 (12/86) DEPARTMENT OF CORRECTIONS

INN	NATE NUMBER: C43165 INMATE NAME: ACUNA
1)	Use of Confidential Information.
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	STAFF NAME, TITLE
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2)	Reliability of Source.
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	This information is considered reliable because:
	a) This source has previously provided confidential information which has proven to be true.
	b) This source participated in and successfully completed a Polygraph examination.
	c)  More than one source independently provided the same information.
	d) This source incriminated himself/herself in a criminal activity at the time of providing the information.
	e) Part of the information provided by the source(s) has already proven to be true.
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	STAFF SIGNATURE, TITLE DATE DISCLOSED

**DEPARTMENT OF CORRECTIONS** 

INI	MATE NUMBER: C43165 INMATE NAME: ACUNA
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	04/20/04
	STAFF SIGNATURE, TITLE BATE DISCLOSED

# SEALED DOCUMENTS PURSUANT TO 10/31/05 COURT ORDER

In re Arcadio Acuna HCPB05-5242

CONFIDENTIAL

Exhibits X, Y and Z

#### **DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: In re Arcadio Acuna

No.: **HCPB05-5242** 

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age and older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On June 16, 2006, I served the attached:

#### RETURN AND SUPPORTING MEMORANDUM OF POINTS AND AUTHORITIES

(SEALED DOCUMENTS EXHIBITS X, Y, AND Z, PER 10/31/05 COURT ORDER)

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550, addressed as follows:

George M. Mavris Law Offices of George M. Mavris 1 Point Saint George Place Crescent City, CA 95531 Attorney for Petitioner, Arcadio Acuna:

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on June 16, 2006, at Sacramento, California.

L. Sandoval

Declarant

Signature

KOloTal